

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 1721 of 2018

Amit Kannouje, S/o. Shri Rajkumar Kannouje, Aged About 32 Years, R/o. Village Kargi Road Kota, P.S. & Tahsil Kota, Civil & Revenue District Bilaspur, Chhattisgarh

---- **Petitioner**

Versus

1. The State Of Chhattisgarh, Through Station House Officer, Police Station- Civil Lines, Bilaspur, District Bilaspur, Chhattisgarh
2. Sunil Patel, S/o. Shri Babulal Patel, Aged About 28 Years, R/o. Rajak Mohalla, Mangla, Police Station- Civil Lines, Bilaspur, Civil & Revenue District Bilaspur, Chhattisgarh.

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For Petitioner	:	Mr. Pramod Verma, Sr. Advocate with Mr. Sunil Sahu, Advocate
For State	:	Mr. Chandresh Shrivastava, Dy. A.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.01.2019

Heard

1. The present petition is to quash the FIR No. 33317013170907/ 2017 dated 03.12.2017 registered under Section 420 of I.P.C. at Police Station- Civil Lines, Bilaspur.
2. Learned counsel for the petitioner would submit that initially when the FIR was made, a Writ Petition (Cr.) No.369/2017 was filed wherein this Court by its order dated 21.09.2017 has directed the State to make an enquiry in the complaint and if necessary registered the FIR and proceed accordingly. It is stated that without any enquiry, the FIR has been registered.
3. Perusal of the complaint would show that cognizable offence are reported, therefore, following the principles laid down in ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2***

SCC 1, since the cognizable offence has been reported, the concerned Police shall be obliged to register the FIR and complete the investigation in accordance with law.

4. It has been contended by the State that enquiry has been conducted. Under the circumstances, since the cognizable offence is reported, the FIR appears to have been rightly registered and the investigation is still going on; therefore, it will be too premature to quash the FIR.
5. In view of the above, the petition is dismissed at the admission stage itself.

Sd/-
(Goutam Bhaduri)
Judge