

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(Cr.) No. 715 of 2019

- Anita Hansda W/o Rajadhan Hansda Aged About 50 Years R/o Hindustan Tent Gali, Hemu Nagar, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary, Department Of Home Affairs, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh.
2. Superintendent Of Police Office Of Superintendent Of Police, Bilaspur, Chhattisgarh.
3. Station House Officer SC/ST Police Station, Chinrajpara, Bilaspur, District- Bilaspur, Chhattisgarh.
4. Amarjeet Chawla S/o Shri Joginder Singh Chawla R/o Sector-3, Nehru Nagar, Chawla Decorator, Durg, District- Durg, Chhattisgarh.

---- Respondents

For the Petitioner : Ms. Madhunisha Singh, Advocate.

For the Respondents/State : Shri Avinash K. Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

23-09-2019

Heard.

1. This petition has been brought under Article 226 of the Constitution of India praying for issuance of appropriate writ.
2. It is submitted by the learned counsel for the petitioner that the petitioner has filed a complaint against respondent No.4 – Amarjeet Chawla before respondent No.3 – Station House Officer, SC/ ST Police Station, Chinrajpara, District Bilaspur. There are clear allegations that the petitioner has been cheated by respondent No.4 – Amarjeet Chawla and by inducement received an amount of Rs.4,00,000/- on pretext that he will use his influence for getting bank loan for the son of the petitioner. As no loan was passed, when the petitioner asked for refund of the

amount given to respondent No.4 – Amarjeet Chawla who abused and threatened her and also outraged her modesty by using physical force. It is also alleged that the petitioner is a member of scheduled caste and she was abused by her caste name by respondent No.4 – Amarjeet Chawla. Respondents No.2 and 3 have not taken any action so far, therefore, it is prayed that appropriate direction be issued.

3. Learned counsel for the State/respondents No.1 to 3 submits that even after sending repeated written communications to respondents No.2 and 3 none have appeared. Hence, it is prayed that appropriate order be passed.
4. Heard learned counsel for the parties and perused the documents.
5. On perusal of the complaint which is annexed as Annexure-P/3, it is found that there is substance to make out commission of cognizable offence against respondent No.4 – Amarjeet Chawla, therefore, keeping in view the judgment of the Hon'ble the Supreme Court in the case of **Lalita Kumari Vs. State of Uttar Pradesh And Others**, reported in **(2014) 2 SCC 1**, this petition is disposed of.
6. Respondents No.1 to 3 are directed that a case is made out for commission of cognizable offences, therefore, FIR be lodged and the case be investigated in accordance with law.
7. Accordingly, the petition is disposed of.

Sd/-

(Rajendra Chandra Singh Samant)
Judge