

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(Cr.) No. 910 of 2019

- Nand Kumar Dahariya S/o Shri Fagu Singh Dahariya Aged About 52 Years
R/o Sahupara, Semradih, Baloda Bazar, District Baloda-Bazar-Bhatapara,
Chhattisgarh

---- Petitioner

Versus

- State Of Chhattisgarh Through Home Department Mahanadi Bhawan, New
Raipur, District Raipur, Chhattisgarh
- P.S. Baloda Through S.H.O, Baloda, District Baloda-Bazar-Bhatapara,
Chhattisgarh
- Brijesh Singh Indira Nagar, Baloda Bazar, District Baloda-Bazar-Bhatapara,
Chhattisgarh

---- Respondents

<u>18/09/2019</u>	Mr. Ravindra Sharma, counsel for the petitioner. Mr. C.B. Kesharwani, P.L. for the State/respondents No.1 & 2. Heard. It is submitted by the learned counsel for the petitioner that the F.I.R. lodged against the petitioner in Police Station- Baloda-Bazar (C.G.) does not have any direct allegation and it is belatedly lodged as a counter F.I.R. dated 27.07.2019 to the F.I.R. lodged by the petitioner against the complainant in this case dated 24.07.2019 itself. Therefore, it is a concocted and false F.I.R., hence, the case may be admitted and interim relief be granted. Learned counsel for the State opposes the application and submits that the case is under investigation and the police may file

closure report in one of the F.I.Rs.

Heard both the parties and perused the documents.

After considering that the case is under investigation and the police has all the powers to investigate and file closure report in one of the counter case, therefore, the option is available to the petitioner. Hence, it is not a fit case to be admitted. Thus, the petition is disposed off at motion stage.

Sd/-

(Rajendra Chandra Singh Samant)

Judge