

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR.) No. 1006 of 2019

Pavikant Shrivastava, S/o. Late K. K. Shrivastava, Aged About 46 Years, R/o. Near Rice Mill Namnakala, Ambikapur, Police Station - Gandhi Nagar, Post and Tehsil - Ambikapur, Revenue and Civil District - Surguja Chhattisgarh. Presently Residing At - Good Luck Automobile Near New Bus Stand Bilaspur, Tehsil – Bilaspur, District - Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. State of Chhattisgarh, Through : Secretary Department of Home Affairs (Police), Mahanadi Bhawan, Naya Raipur, District - Raipur Chhattisgarh.
2. Director General of Police, Raipur, District - Raipur Chhattisgarh.
3. Inspector General of Police, Bilaspur Range, District - Bilaspur Chhattisgarh.
4. Superintendent of Police, Korba , District - Korba Chhattisgarh.
5. Station House Officer, Police Station -Katghora, District - Korba Chhattisgarh.

-----Respondents

For Petitioner	: Mr. Surfaraj Khan, Advocate
For Respondent/State	: Ms. Akanchha Jain, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/10/2019

1. The instant petition under Article 226 of Constitution of India has been filed for issuance of appropriate direction.
2. It is submitted by the counsel for the petitioner that the petitioner has lodged an FIR on 14.05.2016 on the basis of which offence under

Section 420, 406, 34 of the Indian Penal Code was registered against one Sushil Agrawal and one Rakesh Kumar. After investigation, closure report was filed before the Court concerned. But the Court has not accepted the closure report and directed the police for filing charge-sheet. Despite passing of more than three years, the charge-sheet has not been filed. Therefore, it is prayed that appropriate direction be issued.

3. State counsel opposes the petition and submits that in case this Court is inclined to issue direction, then State has no objection.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. After considering the submission made by the counsel appearing for the parties, it appears that despite the direction of the trial Court, the respondent No.5 has not taken care to complete the investigation and file a final report before the Court concerned.
6. Therefore, under these circumstances, I feel inclined to allow this petition and the respondents No.4 and 5 are directed to complete the investigation within a period of two months from the date of this order and filed final report of the same before the Court having jurisdiction.
7. Accordingly, the petition is disposed off.

Sd/-
(Rajendra Chandra Singh Samant)
Judge