

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 599 of 2018**

Subhash Bela S/o Sukru Bela aged about 45 years R/o Near Water Tank, Indira Nagar, Tarbahara, Bilaspur, District Bilaspur Chhattisgarh. --- **Petitioner**

Versus

1. State of Chhattisgarh through the Secretary, Department of Home Affairs (Police), New Raipur, Mantralaya, New Raipur, Civil And Revenue District Raipur Chhattisgarh.
2. Director General off Police Raipur, District Raipur Chhattisgarh.
3. Inspector General of Police Range Bilaspur, District Bilaspur Chhattisgarh.,
4. Superintendent Of Police Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
5. District Magistrate Bilaspur, Civil And Revenue District Bilaspur Chhattisgarh.
6. Station House Officer Police Station Tarbahar, District Bilaspur Chhattisgarh.
7. Station House Officer Police Station Bilaspur, District Bilaspur Chhattisgarh.
8. Madhuri Pandey Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
9. Pramila Pandey Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
10. Sangeeta Pandey Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
11. Rahul Tiwari S/o Pramod Tiwari Aged About 26 Years Directors of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
12. Laxmi Tiwari W/o Pramode Tiwari Aged About 50 Years Directors of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
13. Malvika Yadav W/o Bajrang Yadav Aged About 30 Years Rajwada

Jagdalpur, Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.

14. G.D. Agrawal Aged About 55 Years R/o Behind Manorama Photocopy, Palace Road, Jagdalpur., District : Bastar(Jagdalpur), Chhattisgarh
15. Rajat Bajpayee S/o Rajendra Bajpayee Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
16. Karimuddin Aged About 68 Years Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
17. Tausif Jahan Aged About 58 Years Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
18. Jaharuddin Aged About 62 Years Directors of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
19. Samimuddin Aged About 54 Years Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
20. Shabnam W/o Jahruddin Aged About 62 Years Directors of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
21. Jaynunlabaddin S/o Jaharuddin Aged About 30 Years Directors Of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
22. Shadique Rahman S/o S.S. Rahman Aged About 53 Years Directors of Real Gold Company Ltd. Registered Address At Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
23. Tasmin Rahman W/o Shadique aged about 44 Years Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur District Bastar Chhattisgarh.
24. Rajesh Kumar Singh Aged About 43 Years R/o Kududand Bilaspur, Tehsil & District Bilaspur, Chhattisgarh. (Accused)

For Petitioner	:	Mr. Punit Ruparel, Advocate
For Respondents-State	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

01.02.2019

1. Learned counsel for the petitioner submits that the petitioner invested money of Rs.25,000/- in Real Gold Company Limited on 30.11.2014 and he was assured that the money would be returned with double amount after two years and after two years i.e., on 30.11.2016 when he went to the Company the money was not returned. It is stated that the office was situated at Kududand, Bilaspur and the money was collected through Agent Rakesh Kumar Singh from Bilaspur. It is further stated that though the FIR was made on 14.08.2018, however, till date, no investigation is carried out.
2. Perused the report Annexure P-1, which appears to have been received by the police on 14.08.2018. Considering the nature of allegations, it appears that prima facie cognizable offence has been reported. Therefore, in view of the law laid down by the Supreme Court in case of *Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1*, since the cognizable offence has been reported, the concerned Police is directed to register the FIR and complete the investigation at the earliest. It is further made clear that the police shall be free to investigate the offence against the actual real culprits involved in the crime irrespective of the fact that number of persons have

been named by the petitioner. It is also made clear that this Court has not made any observation on merit about the involvement of any respondent in this case.

3. With such observation, this petition stands disposed of.

Sd/-

**Goutam Bhaduri
Judge**

Rao