

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 849 of 2019

Smt. Damyanti Choudhari Wd/o Late Jitram Choudhari Aged About 36 Years R/o Village Kranpali, P.S. and Tahsil Baramkela, District- Raigarh, Chhattisgarh.

---- Petitioner

Versus

1. Santosh Kumar Singh Superintendent Of Police, Raigarh, District- Raigarh, Chhattisgarh.
2. D.K. Markande Station House Officer, Police Station, Baramkela, District- Raigarh, Chhattisgarh.

---- Respondents

For the Petitioner	: Mr. Kamal Kishore Patel, Advocate.
For the Respondents	: Mr. Awadh Tripathi, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

12-12-2019

1. This petition has been brought initiating the contempt proceedings against the respondents.
2. It is submitted that in W.P.(Cr.) No. 343 of 2019, by order dated 9.7.2019 this Court has directed the respondents to make additional investigation in the case on the points mentioned in the complaint made to the Prime Minister of India and Chief Minister of the State by the petitioner, as far as it is practicable and possible.
3. It is submitted by counsel for the petitioner that the respondents have not complied with the order of this Court and no additional investigation has been carried out, therefore, they have committed contempt.
4. Learned counsel for the respondents opposes the petition and the submissions made in this respect. It is submitted that pursuant to the order of this Court, the respondents have made additional investigation

of the case on the points mentioned in the complaint given to Prime Minister of India and Chief Minister of the State. Details of additional investigation made are given in the correspondence to the Advocate General and the copy of the same is attached as Annexure-R/2 which shows that the Additional investigation has been made as far as it is practicable. Hence, the petition is brought without any substance which may be dismissed.

5. Heard counsel for both the parties and perused the documents.
6. On perusal of the report regarding additional investigation vide Annexure-R/2, it is found that the police has recorded another statement of the petitioner herself in which she has given details of the disputes with the persons concerned which mentioned in the complaint given to Prime Minister of India and Chief Minister of the State. The other person in the complaint is Rambharos, who has also been interrogated and his statement has been recorded. There is mention regarding the investigation made on the other points also.
7. It is submitted by counsel for the petitioner that the respondents have not made any efforts to get the call details of the persons concerned and the others who are suspected. To get a call detail of the mobile numbers of the persons concerned is necessary or not, is a decision which shall be taken only by the Investigation Officer. The petitioner if not satisfied with the investigation made can file a separate complaint to supplement the charge-sheet already filed by the police authorities. Therefore, after considering on all the submissions and the documents present on record, I am of this opinion that the respondents have complied with the order of this Court, hence, no contempt has been committed.

8. Accordingly, the contempt petition is without any substance, which is dismissed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi