

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 621 of 2018**

- Amol S/o Bisauha Rama Aged About 62 Years R/o Village Nagdha, Chowki Maro, District Bemetara, Chhattisgarh.Complainant

---- 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 Of Police Raipur, District Raipur, Chhattisgarh
3. Inspector General Of Police Range Bemetara, District Bemetara, Chhattisgarh
4. Superintendent Of Police Bemetara, Civil And Revenue District Bemetara, Chhattisgarh
5. District Magistrate Bemetara, Civil And Revenue District Bemetara, Chhattisgarh
6. Station House Officer Police Station Nanghat District Bemetara, Chhattisgarh
7. Station House Officer Police Station Ajak District Bemetara, Chhattisgarh
8. Madhuri Pandey**Accused**
9. Pramila Pandey
10. Sangeeta Pandey
11. Rahul Tiwari S/o Pramod Tiwari Aged About 26 Years
12. Laxmi Tiwari W/o Pramode Tiwari Aged About 50 Years
13. Malvika Yadav W/o Bajrang Yadav Aged About 30 Years, Rajwada Jagdalpur
14. G. D. Agrawal Aged About 55 Years. R/o Behind Manorama Photocopy Palace Road, Jagdalpur, Chhattisgarh.
15. Rajat Bajpayee S/o Rajendra Bajpayee
16. Karimuddin Aged About 68 Years.
17. Tausif Jahan Aged About 58 Years.

18. Jaharuddin Aged About 62 Years.
19. Samimuddin Aged About 54 Years. .
20. Shabnam W/o Jahruddin Aged About 62 Years .
21. Jaynunlabaddin S/o Jaharuddin Aged About 30 Years
22. Shadique Rahman S/o S. S. Rahman Aged About 53 Years .
23. Tasmin Rahman W/o Shadique Aged About 44 Years

Respondent No.8 to 23 are Directors of Real Gold Company Ltd. Registered Address at Behind Manoram Photocopy Shop, Palace Road, Jagdalpur (C.G.)

24. Amar Chand Shatruhan S/o Gayakwad Aged About 30 Years R/o Village Karhi, Post And Police Station Bemetara, District Bemetara, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Punit Ruparel, Advocate
For Respondent/State	:	Shri R.K. Bhagat, Dy. GA for the State

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

10/01/2019

1. Heard.
2. Learned counsel for the petitioner submits that the petitioner is one of the victims of chitfund company who had invested money of Rs.25,000/- in Real Gold Chit Fund Company on 30.11.2016. The petitioner had paid the amount to the concerned agent/employee at Nanghat, however, the report having been made to the SHO, Police Station Nanghat, District Bemetara, no FIR has yet been registered.
3. Perused the report Annexure P-1, which appears to have been received by the

police on 16.07.2018. 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.

4. With such observation, the petition stands disposed off.

Sd/-

Goutam Bhaduri
Judge

Ashu