

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 636 of 2018

Deepak Yadav, S/o. Shri Bedram Yadav, Aged About 45 Years, R/o. Village Kasdol, Police Station Kasdol, District Balodabazar-Bhatapara, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through The Secretary, Home Department, Mahanadi Bhawan, Mantralay, Atal Nagar, P.O. Rakhi, New Raipur, District Raipur, Chhattisgarh
2. Superintendent Of Police, Balodabazar, District Balodabazar Bhatapara, Chhattisgarh
3. Inspector General Of Police, Raipur, Division Raipur, Chhattisgarh.
4. Station House Officer, Police Station Kasdol, District Balodabazar Bhatapara, Chhattisgarh
5. Union Of India, Through The Chief Secretary, Ministry Of Home Affairs, North Block, New Delhi 110001
6. Tarachand Ratade (Ratre), Head Constable, Line Attached At P.S. City Kotwali, District Balodabazar Bhatapara, Chhattisgarh.
7. Taman Sahu, R/o Rohasi, Tehsil Kasdol, P.S. Kasdol, District Balodabazar Bhatapara, Chhattisgarh.

---- Respondents

For Petitioner : Mr. Anish Tiwari & Mr. Atul Kumar Kesharwani,
Advocates

For State/Respondents: Mr. R.K.Bhagat, Dy. Govt. Advocate
No.1 to 4.

For UOI/ Respondent : Mr. Krishna Gopal Yadav, Advocate on behalf
No.5 of Mr. B.Gopakumar, Asstt. S.G.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

11.01.2019

Heard

1. The present petition is for directing the police to file the charge sheet trial based in FIR bearing No.163/2018.
2. Learned counsel for the petitioner submits that one Alok Kumar Yadav committed suicide on 24.09.2017 because of the abetment caused by two of the police officials namely Tamsan Sahu and Head Constable Tarachand Ratade, who are working in the police

department. He submits that despite the FIR, which is lodged, one year & four months have passed but nothing is transpired because of the fact that the police officers are involved. He submits it is the appropriate case where the investigation may be handed over to the C.B.I. or the competent Court may monitor the investigation. He relied on (2006) 3 SCC 178 & (2006) 2 SCC 677.

3. It appears that despite the FIR lodged, till date the investigation has not been carried out. In view of the law laid down by the Supreme Court in ***Ram Lal Narang v. State (Delhi Admn.) AIR 1979 SC 1791*** and ***Lalita Kumari v. Government of Uttar Pradesh and Others (2014) 2 SCC 1***, if the investigation is not yet been completed then the police authorities shall be obliged to complete the investigation within a reasonable time.
4. In this case the allegations are leveled against the police officers, therefore, it is directed that the investigation may be carried out by the police officer not below the rank of Superintendent of Police and he shall be obliged to submit the report of the investigation from time to time to the concerned Magistrate at Balodabazar-Bhatapara (C.G.).
5. With such observation, the petition stands disposed off.