

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 3941 of 2019**

Fariduddin @ Farid Khan S/o Late Qamruddin Aged About 30 Years R/o
Rajiv Nagar, Ward No. 6, New Bus Stand, Katghora, District - Korba
Chhattisgarh

---- Petitioner

Versus

1. Union Of India Through The Secretary, Ministry Of Home Affairs, North Block, New Delhi - 110001, District : New Delhi, Delhi
2. The Director General Of Poilce, Director General Of Police, Chhattisgarh, Poilce Headquarters, Raipur Chhattisgarh - 492001, District : Raipur, Chhattisgarh
3. Superintendent Of Police, Office Of The Superintendent Of Police, Korba Chhattisgarh.
4. Chhattisgarh Human Rights Commission, Near D K S Bhawan, Shashtri Chowk - Motibagh Chowk Rd, Near D K S Bhawan, Chhattisgarh 492001, Chhattisgarh
5. Uday Kiran Trainee I. P. S., Additional Superintendent Of Police, Korba Chhattisgarh., District : Korba, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Saleem Kazi, Advocate
For State	:	Mr. Jitendra Pali, Dy. AG
For Union of India	:	Mr. B. Gopa Kumar, Advocate

Hon'ble Shri Justice P. Sam Koshy
Order on Board

07/11/2019

1. The present writ petition has been filed claiming for following three reliefs :-
 - a.) This Hon'ble Court may be kind enough to direct the respondent No.5 to refrain from taking any coercive steps against the petitioner.
 - b.) This Hon'ble Court may be kind enough to direct the respondent nos. 1 to 4 to take cognizance of the complaint which has been submitted to them by the petitioner.
 - c.) This Hon'ble Court may be kind enough to direct the respondent no.2 to pay compensation to the petitioner in case the inquiry declares the respondent no.5 to be guilty of unduly harassing the petitioner.
2. The contention of the petitioner is that respondent No.5 Additional Superintendent of Police has been misbehaving with the general public and also with the petitioner in the past and has also threatened the petitioner of dire consequences. According to the petitioner there is all possibility of the petitioner being trapped in a false case by the respondent No.5 and respondent No.5 thus would be arresting the petitioner in a false case and putting him behind bars with mala fide intentions.
3. Perusal of the records would show that entire writ petition perhaps has been filed only on the apprehension of the petitioner being prosecuted on a false complaint. As of now the petitioner has not been able to point out any order or action on the part of the respondents which would have been subjected to judicial review or which could be termed to be infringement of any of the fundamental rights of the petitioner.
4. Unless and until there is an action or order passed adversely affecting the rights of the petitioner, this Court in exercise of its extraordinary

powers under Article 226 of Constitution of India would find it difficult to entertain the writ petition.

5. Reserving the right of the petitioner to approach this Court in the event of an adverse order or action being initiated against the petitioner, the present writ petition in its present form stands disposed of.
6. So far as complaint which the petitioner has made to the other administrative bodies including the Human Rights Commission etc. are concerned, the petitioner would be free to pursue the same before the concerned appropriate forums in accordance with law.

Sd/-
(P. Sam Koshy)
Judge

Rohit