

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2441 of 2018

Lakhan Goswami S/o Late Buddheshwar Goswami Aged About 29 Years Caste Goswami R/o Village Saraidih Post Barpali, police Station Urga Civil & Revenue District Korba Chhattisgarh.
--- Petitioner

Versus

1. Smt. Sita Kumbhakar W/o Shri Dile Ram Kumbhakar Aged About 41 Years Present R/o Village Reevapar, Police Station Urga ,Civil & Revenue District Korba Chhattisgarh.
2. State of Chhattisgarh through the Station House Officer Police Chawki Rampur, Police Station Kotwali, Korba , Civil & Revenue District Korba Chhattisgarh.
--- Respondents

For the applicant : Mr.Paras Mani Shriwas Advocate.
For the State : Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.03.2019

1. The petition is against the order dated 23.08.2017 passed by the JMFC, Korba whereby the trial Court has refused to take cognizance of offence u/s 156(3) of Cr.P.C.
2. A complaint was filed u/s 156(3) of Cr.P.C., stating that respondent No.1 has obtained the job on the basis of forged document with the connivance of the officer. It was stated that the live registration of employment exchange was not with the petitioner though she was given the employment and as such offence u/s 420, 467, 468, 471 of IPC was committed for which an FIR was lodged.
3. A perusal of the order shows that along-with the petition,

two documents were filed which pertain to candidates who were successful and who were unsuccessful and another document was filed which is an application to seek information under RTI Act. Prima facie, the court found that after going through the documents no cognizance would be required u/s 156(3) of Cr.P.C.

4. Nothing has been pointed out before this Court why the impugned order is bad in law and what is the jurisdictional error in such order. Neither any substantial document nor any cogent evidence is placed on record to take the cognizance. Prima facie insufficient facts were placed on record before the Court so as to invoke the jurisdiction u/s 482 of Cr.P.C. Therefore, the petition has no merit and is dismissed.

Sd/-

**GOUTAM BHADURI
JUDGE**