

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 2569 of 2018

1. Kheduram Nag, S/o. Late Shri Asharam, Aged About 60 Years, R/o. Village Hatkogera, Police Station Kanker, District Kanker (Uttar Bastar) Chhattisgarh
2. Trilokinath Nag, S/o. Shri Kheduram Nag, Aged About 39 Years, R/o. Village Hatkogera, Police Station Kanker, District Kanker (Uttar Bastar) Chhattisgarh, Occupation Constable, Presently Posting At Office Company Commander, Mukhya Samanwaik 9th Battalion, Chhattisgarh Sasastra Bal, Karli, District Dantewada Chhattisgarh
3. Rajendra Nag, S/o. Late Shri Sukduram Nag, Aged About 55 Years, (Occupation Lecturer, Higher Secondary School, Uraiya, Block Narharpur), R/o. Village Kodabhat, Police Station Kanker, District Kanker (Uttar Bastar) Chhattisgarh

---- Applicants

Versus

1. State Of Chhattisgarh, Through the Station House Officer, Police Station Kanker, District Kanker (Uttar Bastar) Chhattisgarh
2. Smt. Lileshwari Nag, W/o. Late Shri Kuber Nag, R/o. Village Kodabhat, Kanker, District Kanker (Uttar Bastar) Chhattisgarh

---- Respondents

For Applicant : Mr. D.N.Prajapati, Advocate

For Respondent : Mr. Manish Nigam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

07.01.2019

Heard

1. The petitioners submit that false report has been lodged by the respondent No.2 as there has been lot of cases are going on in between the parties as they belong to the same family. It is further contended that the petitioner No.2 was not present on the date of incident, as the place of incident would be evident from the document and as per the attendance register of that date he was present 300 km away, which has been certified by the police department itself. Therefore, entirety the false allegations have been made. The petitioners have sought for quashing of the FIR on the basis of the reason that one of the petitioner was absent on

the date of incident and was present somewhere else discharging his duties.

2. Learned counsel for the petitioners further submits that the petitioner No.1 was also absent and therefore false allegations have been made. If the petitioners were not present on the date of incident, it is for the I.O. to consider it along-with other antecedents and facts. For this giving finding at this stage would not be proper to quash the FIR. The petitioners are at liberty to place all the documents with the concerned I.O.
3. With such observation, the petition stands disposed of.

Sd/-
(Goutam Bhaduri)
Judge