

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(CR) No. 684 of 2018

Lakhan Lal Soni, S/o. Nandram Soni, Aged About 55 Years, R/o. Village Mangla Ward No.1, P.S. Civil Lines, Tahsil And District Bilaspur, Civil And Revenue District Bilaspur, Chhattisgarh.

---- Petitioner

Versus

1. State Of Chhattisgarh, Through Secretary Home (Police) Department, Mahanadi Bhavan, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. The Inspector General Of Police, Police Department New Raipur, District Raipur, Chhattisgarh.
3. The Superintendent Of Police, Bilaspur, District Bilaspur, Chhattisgarh.
4. The Collector Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondents

 For Petitioner : Mr. Manoj K. Sinha, Advocate
 For State : Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.02.2019

Heard

1. On the earlier occasion, State counsel was directed to seek instructions, however, till today on being asked the instruction is awaited.
2. Learned counsel for the petitioner submits that despite the report of cognizable offence was made, no offence has been registered on behalf of the petitioner. He submits that the daughter of the petitioner was assaulted and the report reveals it is a cognizable offence. Consequently, the FIR should have been registered.
3. The following reliefs has been claimed by the petitioner in this petition :
 - (i) That, the Hon'ble Court be pleased to call for the entire records of the petitioner's case.

- (ii) That, the Hon'ble Court be further pleased to direct the respondent authorities to make investigation in accordance with the procedure established by law and register FIR against the actual culprit.
 - (iii) Any other order that the Hon'ble Court deems fit and necessary in the circumstances of the case be also passed.
 - (iv) That, the cost of the petition be also awarded to the petitioner.
4. Perused the report made to the police dated 12.11.2018 (Annexure P-1). Considering the fact that cognizable offence has been reported to the concerned police station and in view of the law laid down by the Supreme Court in ***Ram Lal Narang Vs. state (Delhi Admn.) AIR 1979 SC 1791*** and ***Lalita Kumari Vs. Government of Uttar Pradesh & Others (2014) 2 SCC 1*** wherein it has been held that on such complaints being made disclosing commission of cognizable offence, the concerned Police shall register the FIR, complete the investigation within a reasonable time, the writ petition is disposed of with a direction to the concerned police to proceed in accordance with law and do the needful for completing the investigation at the earliest.

Ashok

Sd/-
(Goutam Bhaduri)
 Judge