

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 396 of 2020**

- Shrimati Champakali Diwakar D/o (Late) Shree Sitaram Diwakar, Aged About 40 Years R/o Kachharipara, Police-Station City Kotwali, Baikunthpur, District Korla, Chhattisgarh ---- **Petitioner**

Versus

1. State of Chhattisgarh Through Secretary, Department Of Home Affairs, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh
2. Inspector General Of Police, , Surguja Range, Ambikapur District Surguja, Raipur Chhattisgarh, District : Raipur, Chhattisgarh
3. Superintendent Of Police, Korla, District Korla, Baikunthpur, District Korla Chhattisgarh
4. Station House Officer, Police-Station- Anusuchit Jati / Anusuchit Janjati Kalyan Thana, (Ajak Thana), Baikunthpur, District Korla Chhattisgarh
5. Mazhar Khan, S/o Sher Khan Aged About 32 Years R/o Ward No. 9 Joda Talab, Village Mahora, Tehsil Patna, Baikunthpur, District Korla (Chhattisgarh). ---- **Respondents**

For petitioner	:	Mr. Anuroop Panda, Advocate.
For State	:	Mr. Udhaw Sharma, Govt. Advocate

Hon'ble Shri Justice Narendra Kumar Vyas**Order on Board****2-9-2021**

1. The petitioner has preferred the instant writ petition (cr) under Article 226 of the Constitution of India and prayed for following reliefs.

- 10.1 This Hon'ble court may kindly be pleased to issue an appropriate writ/order or direction to the respondent authority to carry out speedy and fair investigation into both the subject FIRs and arrest the respondent No.5 immediately in connection with the crime registered against him.

10.2 This Honorable Court may kindly be pleased to direct the respondent Police to provide appropriate protection to the petitioner so that she may not be subjected to any ill treatment in the hands of respondent No.5 and other co-accused of petitioner's case and lead a peaceful and fearless life and do her government job without any pressure and apprehension.

10.3 Any other relief which this Honorable Court deems fit in the facts and circumstances of the case along with costs of the petition be awarded”.

2. This court vide its order dated 25-6-2021 has directed the State counsel to submit the information why investigation has not been carried out on the basis of FIR in connection with Crime No 15 of 2020 registered at Police Station Baikunthpur for commission of offence punishable under Sections 376, 420, 34 and 506 of IPC against respondent No.5 Majhar Khan and his family members and in pursuance of the order passed by this court Police has submitted challan on 24-7-2020 in connection with Crime No. 15 of 2020 registered at Police Station Baikunthpur for offence punishable under Sections 376, 420, 506/34 of IPC and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 as well as FIR/crime No. 26 of 2020 for commission of offence punishable under Sections 294, 506, 509, 341/34 of IPC and Sections 3(2)(d)(dha), 3(2)(Va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 against respondent No.5 and in both the

offences investigation is going on while the accused/resplendent No.5 is absconding.

3. So far as other relief sought for by the petitioner that she may be given police protection, is concerned, the petitioner is at liberty to make a suitable application before the competent authority in case any exigency so arises.
4. With the aforesaid observation and direction, the instant writ petition (cr) is disposed of.

Sd/-

(Narendra Kumar Vyas)

Judge

Raju