

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 144 of 2017**

1. Sahorik Ram Sahu S/o Ramkishun Sahu, Aged About 36 Years R/o Narayanpur, P. S. Nandghat, District Bemetara Chhattisgarh.
2. Rajkumar Sahu, S/o Punaram Sahu Aged About 33 Years R/o Bhartiya Nagar, P. S. Civil Line, Bilaspur, District Bilaspur Chhattisgarh.
3. Pawan Patel, S/o Gorelal Patel, Aged About 40 Years R/o Dhuma, P. S. Masturi, District Bilaspur Chhattisgarh.
4. Sukhnandan Prasad Sahu S/o Pardeshi Ram Sahu, Aged About 36 Years R/o Village Nagrouli, Post Hardi Kala, P. S. Chakarbhata, Bilaspur, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. State of Chhattisgarh Through The Secretary, Home Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh.
2. Inspector General of Police, Bilaspur Division Bilaspur, District Bilaspur Chhattisgarh.
3. Station House Officer, Tarbahar, P. S. Tarbahar, District Bilaspur Chhattisgarh.
4. B. N. Gold Real Estate And Allied Limited, Through Its Director, Guruvindar Singh, Regn. And Corp. Office, 1112-1114, 11th Floor, R G Trade Tower, B-7, Netaji Subhash Place, Pitampura, New Delhi 34.

---- Respondents

For Petitioner	:	Shri Om Prakash Sahu, Advocate.
For Respondent-State	:	Shri Sudeep Verma, Deputy Government Advocate.

Hon'ble Shri Justice Narendra Kumar Vyas, Judge**Order on Board****06.07.2021**

1. The learned counsel for the Petitioners would submit that the Ministry of Home, Government of Chhattisgarh has issued a Circular dated 16.10.2019 which has already on record by which it has been directed to withdraw the criminal cases registered against the agents working in the Chit Fund Company. The Investigating Agencies/Prosecution has been directed to

proceed as per the provisions of 306 and 307 of CrPC. Thereafter, the Director General of Police, Chhattisgarh has also issued a Circular directing all the Police Authorities to comply the Circular dated 16.10.2019 by his Circular dated 15.11.2019.

2. In pursuance of the Circular issued by the Government, the Petitioners have submitted an application before the Thana In-charge Tarbahar, District Bilaspur on 24.06.2021. As per the Circular, they are enclosing affidavit as required for the compliance of the Circular. Further, it has been stated that in the said application they have prayed to be converted as witnesses in place of accused in the case.
3. The learned State counsel would submit that the challan has been already submitted before the learned Judicial Magistrate First Class, therefore, the decision has to be taken by the concerning Magistrate only.
4. Considering the facts and circumstances of the case, it is directed that the Thana In-charge Tarbahar, District - Bilaspur would submit the aforesaid application dated 24.06.2021 before the concerned Magistrate for considering the said application in accordance with law.
5. With this direction, the present WPCr is finally disposed off.

Sd/-
(Narendra Kumar Vyas)
Judge