

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 578 of 2021**

- Dr. Reeta Pandey W/o Late Shri Narendra Pandey Aged About 54 Years
R/o Ward No. 20, Mahavir Bhawan Marg, Mahasamund District
Mahasamund Chhattisgarh **Petitioner**

Versus

1. State of Chhattisgarh Through The Secretary, Department Of Home Affairs, (Police) Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh
2. Director General Of Police Raipur District Raipur Chhattisgarh
3. Inspector General Of Police Range Bilaspur, District Bilaspur Chhattisgarh
4. Superintendent Of Police Korba Civil And Revenue District Korba Chhattisgarh
5. District Magistrate Korba Civil And Revenue District Korba Chhattisgarh
6. Station House Officer Police Station Kotwali, Korba Civil And Revenue District Korba Chhattisgarh
7. Lata Verma @ Madhu Pandey W/o Late Narendra Kumar Pandey R/o Ews 146, Maharana Pratap Nagar, Korba Police Station Korba, District Korba Chhattisgarh
8. Anil Garg Additional District Public Prosecutor, Korba Chhattisgarh Address And Practicing At Civil Court Korba District Korba Chhattisgarh
9. Parasram Rathore S/o Mahettar Lal Rathore Aged About 48 Years (Lic Agent) R/o Lig-12, Housing Board Colony, Dr. Rajendra Prasad Nagar, Korba Police Chowki Rampur, Police Station Kotwali Korba District Korba Chhattisgarh
10. The Director Sanchalnalay Lok Abhiyojan, Indrawati Bhawan, Atal Nagar, Nawa Raipur District Raipur Chhattisgarh **--- Respondents**

For petitioner : Mr. Punit Ruparel, Advocate.
For State : Mr. Gurudev I Sharan, Govt. Advocate

Hon'ble Shri Justice Narendra Kumar Vyas**Order on Board****16-09-2021**

1. The grievance of the petitioner is that the respondent No.6/ Station

House Officer, Police Station Kotwali, District Korba has not submitted the final report/closure report of Crime No.0693 of 2020 for offence punishable under Section 474 of IPC before the concerned Judicial Magistrate.

2. It has been well settled by the Hon'ble Supreme Court that after investigation of the case, Investigating authority has to submit its closure report as provided under Section 169 of Cr.P.C., or to submit final report as provided under Section 173 of Cr.P.C, but the matter cannot be kept in abeyance by the Investigating authority. Therefore, it is directed that if investigation has not been completed by the investigating agency, it should be completed within a period of three months from the date of receipt of a copy of this order and in case the offence is not made out, then the closure report as provided under Section 169 of Cr.P.C., and if offence is made out then final report as provided under Section 173 of Cr.P.C., should be submitted before the concerned Judicial Magistrate within outer limit of three months from the date of receipt of a copy of this order. In case, if closure report/final report is submitted by the Investigating authority before the concerned Judicial Magistrate First Class, then the Judicial Magistrate First Class should issue notice to the complainant before taking final decision on the closure report, in accordance with law.
3. With the aforesaid observation and direction, the instant petition is disposed of.

Sd/-

(Narendra Kumar Vyas)

Judge

Raju