

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No.56 of 2015

- Anubhav Tiwari, S/o Shri Murari Tiwari, Aged About 41 Years, Occupation Constable (Excise), R/o H.I.G.-1, M.P. Nagar, Police Station Rampur C.S.E.B. Korba, District Korba, Chhattisgarh

----- Petitioner

Versus

1. State Of Chhattisgarh, S/o Through Its Secretary, Excise Department, Mahanadi Bhawan, Police Station - Rakhi, New Raipur District - Raipur Chhattisgarh , Chhattisgarh
2. Excise Department Through Its Commissioner, Abkari Bhawan, Raipur, District Raipur, Chhattisgarh
3. Additional Excise Commissioner, Raipur, Raipur Division, District - Raipur Chhattisgarh , District : Raipur, Chhattisgarh
4. Additional Excise Commissioner Bilaspur, Bilaspur - Division, District - Bilaspur Chhattisgarh , District : Bilaspur, Chhattisgarh
5. Additional Excise Commissioner, Bastar, Bastar Divison, District - Jagdalpur Chhattisgarh, District : Bastar(Jagdalpur), Chhattisgarh
6. Additional Excise Commissioner Korba, District Korba Chhattisgarh, District : Korba, Chhattisgarh
7. Additional District Excise Officer Korba, District Korba Chhattisgarh, District : Korba, Chhattisgarh
8. Exicise Sub Inspector Korba, District Korba, Chhattisgarh
9. Anti Corruption Bureau (ACB), Through its Director, Near Aanand Nagar, G.E. Road,12

Raipur, District Raipur (C.G.)

10. The Collector, Korba, District Korba
(C.G.)

11. Inspector General of Police, Bilaspur,
District Bilaspur (C.G.)

12. Superintendent of Police, Korba, District
Korba (C.G.)

----- Respondents

For Petitioner	Mr. Kulesh Sahu, Advocate
For Respondent-State	Mr. Animesh Tiwari, Dy. AG

Hon'ble Justice Shri Sanjay K. Agrawal

Order On Board

05/02/2021

1. The petitioner has prayed for the following
reliefs in the writ petition:-

“(i) The Hon'ble Court may kindly be
pleased to call for the entire
record.

(ii) The Hon'ble Court may issue a writ
in the nature of mandamus directing
the respondents to lodge FIR against
officers involved in
bribery/corruption in Excise
Department.

(iii) The Hon'ble Court may issue a writ
in the nature of mandamus directing
the Central Bureau of Investigation
(CBI) to hold investigation into the
matter.

(iv) The Hon'ble Court may issue a writ
in the nature of mandamus directing
respondent No.11 and 12 to provide

protection to the life of the petitioner and his family and also protection towards his property.

(v) The Hon'ble Court may issue a writ in the nature of mandamus directing the respondent to pass any other order (s) as may be deemed fit and proper in the facts and circumstances of the present case in the interest of justice."

2. Return has been filed refuting the allegation made in the writ petition stating that 139 cases of excise offences have been registered and accused persons have been chargesheeted in the jurisdictional Criminal Court and other steps are being taken to prosecute the offenders.
3. In view of the above, no general direction can be issued, however, the petitioner is at liberty to proceed under Section 156 (3) or 200 of CrPC in accordance with law.
4. The writ petition stands disposed off with the above stated observation and direction.

Sd/-
Sanjay K. Agrawal
Judge

Nirala