

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Criminal) No. 598 of 2018**

- Narad Prasad Chaudhary S/o Shri Neelkanth Chaudhary Aged About 66 Years Retired As Assistant Director/Principal, Mentally Disabled Special Boys School Bilaspur, R/o House No. 796, Ward No.12 Koteswar Nagar, Kota District Raipur Chhattisgarh.

---- Petitioner**Versus**

1. State Of Chhattisgarh Through The Secretary Home Ministry Mahanadi Bhawan Mantralaya New Raipur Chhattisgarh
2. Director General Of C.B.I. (D.G.) Bhilai, District Durg Chhattisgarh
3. Inspector General Of Police Raipur Rang, Raipur Chhattisgarh.
4. Inspector General State Economic Offences Investigation Wing, Telibandha Raipur Chhattisgarh.,
5. Shri Rajesh Tiwari Director State Resource Center (Rajya Shrot Nihshakt Jan Sansthan), Samaj Kalyan Parisar, Mana District Raipur Chhattisgarh.
6. Shri Ashok Tiwari In Charge Cashier State Resource Center (Rajya Shrot Nihshakt Jan Sansthan) Samaj Kalyan Parisar Mana, District Raipur Chhattisgarh
7. Shri Ramendra Shukla Pension Scheme Incharge Through Chief Secretary Mahanadi Bhawan, New Raipur Chhattisgarh.

---Respondents

For Petitioner : Shri JK Gupta, Advocate

For Respondents 1 to 4/State : Shri Animesh Tiwari, Dy. Advocate General

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****05.3.2021.**

1. Learned counsel for the petitioner submits that respondents No.5 to 7 are Government servants posted in the Department of Social Welfare and in the name of various social welfare schemes, they have misappropriated huge public money and despite having complaint, no FIR has been registered against them. Therefore, appropriate direction may be issued to the concerned agency to register an FIR against respondents

No.5 to 7 and investigate the matter in the light of decision rendered by the Supreme Court in **Lalita Kumari v. Government of UP¹**.

2. Learned counsel for the State submits that the appropriate remedy of the petitioner is to file complaint under Section 156(3) of the CrPC or under Section 200 of the CrPC.

3. I have heard learned counsel for the parties and perused the records.

4. I do not consider it a fit case to issue direction to the respondent authorities to register FIR against respondents No.5 to 7, however, the petitioner is at liberty file complaint under Section 156(3)/200 of CrPC in accordance with law.

5. With aforesaid observation, the writ petition stands disposed of.

Sd/-

(Sanjay K. Agrawal)
JUDGE

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1) (2014) 2 SCC 1