IN THE HIGH COURT OF MADHYA PRADESH AT GWALIOR

BEFORE

HON'BLE SMT. JUSTICE SUNITA YADAV

ON THE 1st OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 1949 of 2024

BETWEEN:-

PROSECUTRIX, AGED ABOUT 40 YEARS, GRAM SALIYA POST BADARWAS PICHOR SHIVPURI MP (MADHYA PRADESH)

.....PETITIONER

(MR. ROHIT JAGWANI - ADVOCATE FOR THE PETITIONER)

AND

1. **THE STATE OF MADHYA PRADESH PRINCIPAL SECRETARY VALLABH BHAWAN BHOPAL MP (MADHYA PRADESH)**

2. **SUPERINTENDENT OF POLICE SHIVPURI (MADHYA PRADESH)**

3. **INCHARGE POLICE STATION THANA KARERA, SHIVPURI SHIVPURI (MADHYA PRADESH)**

4. **ANIL LODHI S/O SHRI RAMNIWAS LODHI, AGED ABOUT 28 YEARS, R/O VILLAGE BADORA, POLICE STATION KARERA, SHIVPURI (MADHYA PRADESH)**

5. **BHUPENDRA LODHI S/O SHRI RAMSEWAS, AGED ABOUT 26 YEARS, R/O VILLAGE BADORA, POLICE STATION KARERA, SHIVPURI (MADHYA PRADESH)**

6. **GOLU LODHI S/O SHRI PRAKASH LODHI, AGED ABOUT 25 YEARS, R/O VILLAGE BADORA, POLICE STATION KARERA, SHIVPURI (MADHYA PRADESH)**

7. **RAMNIWAS LODHI S/O LATE SHRI MALKHAN LODHI, AGED ABOUT 56 YEARS, R/O VILLAGE BADORA, POLICE STATION KARERA, SHIVPURI (MADHYA PRADESH)**

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.....RESPONDENTS

(MR. RAJEEV UPADHYAY - PUBLIC PROSECUTOR FOR RESPONDENTS NO. 1 TO 3 - STATE)

This application coming on for admission this day, the court passed the following:

ORDER

This petition under Section 482 of Cr.P.C. has been filed seeking direction to respondents No. 1 to 3 for carrying out fair and impartial investigation in FIR No. 760/2023 registered at Police Station Karera, District Shivpuri (M.P.).

Learned counsel for the petitioner contends that dacoity has also been committed by the accused persons, however, police has only registered the case under Sections 354, 376-D, 342, 323 and 506 of IPC. Some of the accused persons are still absconding and police concerned is not making any efforts to arrest them. Accordingly, it is prayed that the respondents No. 1 to 3 may be directed to conduct fair and impartial investigation into the matter and arrest the absconding accused persons.

Per contra learned Public Prosecutor for the respondents-State submits that in case directions are issued by this Court then they will dealt with the matter in accordance with law.

Heard learned counsel for the rival parties and perused the case diary.

Considering the submission, this petition is disposed of with the expectation that the Police shall ensure fair and impartial investigation and will take all facts and circumstances of the case into consideration while filing charge-sheet and shall dealt with the matter in accordance with law.

No further order can be issued in the facts and circumstances of the

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case.

Accordingly, **this petition is disposed of**.

(SUNITA YADAV)
JUDGE

AKS

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