



2024:CGHC:46106-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 453 of 2024

Mahima Kewat D/o Brijlal Kewat Aged About 27 Years R/o Village - Parasi, Tahsil - Marwahi, District - Gourella - Pendra - Marwahi, Chhattisgarh.

... Petitioner

versus

- 1** - State Of Chhattisgarh Through Its Secretary, Department Of Home Mahanadi Bhawan, Mantralaya, Atal Nagar Nawa Raipur, District Raipur, Chhattisgarh.
- 2** - Director General Of Police, Police Head Quarter, Indrawati Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
- 3** - The Inspector General Of Police, Bilaspur Range, District Bilaspur, Chhattisgarh.
- 4** - The Superintendent Of Police, Gourella - Pendra - Marwahi, District - Gourella - Pendra - Marwahi, Chhattisgarh.
- 5** - Additional Superintendent Of Police, Gourella - Pendra - Marwahi, District - Gourella - Pendra - Marwahi, Chhattisgarh.
- 6** - Station House Officer, Police Station - Marwahi, District, District - Gourella - Pendra - Marwahi, Chhattisgarh.
- 7** - Ganga Prasad Banjare, The Then Station House Officer, Police Station - Marwah, District - Gourella - Pendra - Marwahi, Chhattisgarh.
- 8** - Dilip Banjare, Head Constable, Police Station - Marwahi, District - Gourella - Pendra - Marwahi, Chhattisgarh.
- 9** - Deepak Prajapati, R/o Village - Chichgohn, Tahsil And Police Station - Marwahi, District - Gourella - Pendra - Marwahi, Chhattisgarh.

... Respondents

For Petitioner : Mr. Malay Shrivastava, Advocate

For Respondents : Mr. S.S. Baghel, Panel Lawyer

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Amitendra Kishore Prasad, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

25.11.2024

1. Heard Mr. Malay Shrivastava, learned counsel for the petitioner. Also heard Mr. S.S. Baghel, learned Panel Lawyer, appearing for the respondents/State.
2. The present petition has been filed by the petitioner with the following prayers:

“10.1 That this Hon'ble Court may kindly be pleased to direct the respondents to produce the entire records.

10.2 That, this Hon'ble Court may kindly be pleased to direct the respondent no.6 to registrar the FIR against the respondent no.8 and 9 and take necessary criminal # action against the respondent no.8 and 9 for the crime which has been committed by the respondent no.8 and 9 against the petitioner.

10.3 Any other relief(s)/order(s)/direction(s) in favour of petitioner, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice.

10.4 Cost of the petition”

3. Brief facts of the case are that on 27/09/2024, an offence was committed by the respondent No.9 with the petitioner for which the petitioner has lodged the First Information Report against the respondent No.9 in which Crime No.224/2024 was registered at Police Station- Marwahi, District- Gourella- Pendra-Marwahi (C.G.). For investigation of the said criminal case, the respondent No.8 called the petitioner and directed the petitioner to come to the Police Station- Marwahi for investigation of the criminal case. When the petitioner reached the Police Station- Marwahi, the respondent No.8 in the name of the investigation has used filthy, obscene and vulgar language, badly touched the petitioner and threatening the petitioner that if she will not cooperate with the respondent no.8, then the petitioner will be roped in the false case. Immediately the petitioner submitted a written report to the respondent no.4 describing the incident in the written report and there to the respondent no.5, but till date no action was taken against the respondent no.8 and thereafter, the respondent no.8 and 9 are giving continuous threat to the petitioner as no action has been initiated against the respondent no.8 and 9. Hence this appeal.

4. It has been argued by the learned counsel for the petitioner that the petitioner is the complainant of the case and she has lodged an FIR against respondent No.9. Further, when the petitioner was called by respondent No. 8 for interrogation and investigation with regard to the FIR, which was lodged by the petitioner against the respondent No. 9, the respondent No. 8 misbehaved with her. Due to the same, the

petitioner had made a complaint to the Superintendent of Police of the concerned Police Station regarding the misconduct of the respondent No. 8 on 03.10.2024. A copy of the same is annexed in Annexure P/2 in the petition. Further, the petitioner also reported the matter to the higher authorities on 07.11.2024. A copy of the same is annexed as Annexure P/3 in the petition.

5. In view of the same, the Superintendent of Police of the concerned Police Station is directed to look into the matter and do the needful, in accordance with law, after hearing both the parties.

6. In view of the above observation, the present petition is accordingly **disposed of**.

Sd/-
(Amitendra Kishore Prasad)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice

Manpreet