
(2018) 02 CHH CK 0223
In the Chhattisgarh High Court
Case No : WPCR No. 364 Of 2017

Bijay Agrawal And Ors

APPELLANT

Vs

State Of Chhattisgarh And Orss

RESPONDENT

Date of Decision : 12-02-2018

Acts Referred:

Citation : (2018) 02 CHH CK 0223

Hon'ble Judges : Goutam Bhaduri, J

Bench : Single Bench

Advocate : Neha Verma, Astha Shukla

Final Decision : Dismissed

Judgement

Goutam Bhaduri, J

1. Heard.

2. Learned counsel for the petitioner submits that because of the fact that certain information was required from one A. K. Biswal, who is respondent

No.5 herein, the report was made and the application was made to the higher authorities, therefore, as a counter blast the false allegations have been

made against the petitioners. She would further submit that as per the instructions, the charge-sheet has not been filed in this case.

3. Perusal of the FIR would show that the FIR has been lodged by Yashwant Sahu, who is also working in the Chhattisgarh Rajya Bal Adhikar

Sanrakshan Ayog, for an incident happened on 20.08.2014. Even after going through the FIR it appears that it cannot be quashed at the initial stage to

stop the investigation and what subsequent developments took place after 2014 it is also not clear. If the evidence collected do not make out the case

against the petitioners then it would automatically die its natural death.

Consequently, at this stage, this Court do not feel it expedient to go back for the incident of 2014 to give a finding on the FIR as prima facie allegations are attributed against the petitioners.

4. Accordingly, the petition stands dismissed. However, the petitioners shall be at liberty to raise their defense in a appropriate proceeding, if so advised.