

(2018) 02 CHH CK 0426
In the Chhattisgarh High Court
Case No : WPCR No. 120 Of 2018

Vishnu Singh

APPELLANT

Vs

State Of Chhattisgarh And Ors

RESPONDENT

Date of Decision : 26-02-2018

Acts Referred:

Indian Penal Code, 1860 — Section 120B, 186, 294, 323, 395, 427, 447, 448, 467, 468, 506
Scheduled Caste & Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(2), 3(iv), 3(v)

Citation : (2018) 02 CHH CK 0426

Hon'ble Judges : Goutam Bhaduri, J

Bench : Single Bench

Advocate : A.K. Yadav, Adhiraj Surana

Final Decision : Disposed Of

Judgement

Goutam Bhaduri, J

1. Learned counsel for the petitioner would submit that the father of the petitioner had purchased a land by a sale-deed dated 02.02.1950 and the petitioner was cultivating the said land but on 28.04.2017 respondents No. 6 to 10 have demolished the house and tried to take over the possession. He would further submit that the FIR has been registered under Sections 186, 294, 506, 323, 395, 427, 447, 448, 467, 468, 120 B I.P.C. and offences under Sections 3 (2), 3 (iv) & 3 (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, however, no action has been taken pursuant to the FIR.
2. Perused the documents filed alongwith the petition and the FIR dated 01.05.2017.

3. In the matter of Ram Lal Narang v/s. State (Delhi Administration) {(1979) 2 SCC 322} the Supreme Court held that whenever an office incharge

of the Police Station received information relating to commission of a cognizable offence, he was required to register the FIR and complete the

investigation without unnecessary delay and, as soon as it was completed, to forward to a Magistrate empowered to take cognizance of the offence

upon a police report, a report in the prescribed form, setting forth the names of the parties, the nature of the information and the names of the persons

who appeared to be acquainted with the circumstances of the case.

4. Considering the above law laid down by the Supreme Court, the writ petition is disposed of with a direction to the concerned Police Station to

complete the investigation in accordance with law laid down by the Supreme Court in Ram Lal Narang (supra) at the earliest and file Final

Report/Khatma or charge sheet, as the case may be, before the competent Criminal Court.