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HIGH COURT OF CHHATTISGARH, BILASPUR**CRMP No. 1075 of 2016**

1. Mahetarin Bai W/o Kumar Sonkar Aged About 50 Years R/o Sonkar Para, Village- Simga, Police Station & Tahsil Simga, District Baloda- Bazaar, Chhattisgarh.
2. Parwati Bai W/o Ishwar Sonkar Aged About 30 Years R/o Sonkar Para, Village- Simga, Police Station & Tahsil Simga, District Baloda- Bazaar, Chhattisgarh.
3. Rani Sonkar W/o Narad Sonkar Aged About 28 Years R/o Sonkar Para, Village- Simga, Police Station & Tahsil Simga, District Baloda- Bazaar, Chhattisgarh.

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Versus

1. Shantu Sonkar S/o Khusra Sonkar Aged About 55 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
2. Bharat Sonkar S/o Tungan Sonkar Aged About 40 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
3. Laxman Sonkar S/o Tungan Sonkar Aged About 38 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
4. Ramesh Sonkar S/o Tungan Sonkar Aged About 36 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
5. Suresh Sonkar S/o Tungan Sonkar Aged About 34 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
6. Nagu Sonkar S/o Bharat Sonkar Aged About 26 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
7. Golu Sonkar S/o Shantu Sonkar Aged About 27 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
8. Pardesi Sonkar S/o Shantu Sonkar Aged About 25 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.

9. Parmeshwar Sonkar S/o Shantu Sonkar Aged About 23 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda-Bazaar, Chhattisgarh.
10. Manharan Sonkar S/o Pitamber Sonkar Aged About 23 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda-Bazaar, Chhattisgarh.
11. Manohar Sonkar S/o Pitamber Sonkar Aged About 26 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
12. Manoj Sonkar S/o Bharat Sonkar Aged About 28 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
13. Ashok Sonkar S/o Manharan Sonkar Aged About 27 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
14. Anil Sonkar Aged About 50 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
15. Ranju Bai Sonkar W/o Anil Sonkar Aged About 45 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
16. Mina Bai Sonkar W/o Laxman Sonkar Aged About 30 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
17. Kamta Bai Sonkar W/o Bharat Sonkar Aged About 30 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
18. Shivbati Sonkar W/o Bhantu Sonkar Aged About 50 Years R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
19. Rukhmin Sonkar W/o Manharan Sonkar R/o Sonkarpara, Village- Simga, Police Station & Tahsil- Simga, District- Baloda- Bazaar, Chhattisgarh.
20. State Of Chhattisgarh. Through The District Magistrate District- Baloda-Bazar, Chhattisgarh.

---- Respondents

For Petitioner
For Respondents/State

Shri A. Ghosh, Advocate
Smt. M. Asha, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****30/09/2016**

1. By way of the present Petition the Petitioners have sought for a direction to the Respondent authority for registration of a complaint case which the Petitioners have intended to file.
2. Learned Counsel for the Petitioner submits that the two Court below; the Magistrate Court as well as Revisional Court have failed to appreciate the fact that the contents of the complaint specifically narrates allegations levelled against the Respondents and the Court below is duty bound to register the complaint and should not have rejected the same.
3. According to the Counsel for the Petitioners admittedly the statement recorded at the time of registration of the complaint very specifically mentions of a cognizable offence and therefore the Court below was obliged to register the same and should have initiated prosecution case against the Respondents. Thus prays for setting aside / quashment of the two orders.
4. Learned State Counsel however opposes the Petition and submits that the two orders are speaking orders and giving specific reasons as to why the Courts did not feel it proper to register the complaint.
5. Considering submissions put forth by the Counsel for the Petitioner and also on perusal of the record, this Court is of the opinion that the

two Courts below have not committed any illegality or infirmity, firstly in refusing the registration of complaint and secondly in rejecting the revision petition. The two Courts below specifically considered the evidence on record and also report of the police authorities and have reached to the conclusion that the complaint which was being sought to be registered in fact was a counter act being tried by the Petitioners on account of a report lodged against the male members of the family of the Petitioners by the Respondents. The police authority specifically has brought to the notice of the trial Court that immediately preceding the complaint being lodged by the Petitioners there was already a complaint lodged against the male members of the family of the Petitioners and therefore it appears that the Petitioners might have thought it proper to counter the said complaint by filing a complaint case against the complainant in the original report lodged against the male members of the family of the Petitioners.

6. Thus, this Court does not find any illegality or infirmity acted by the two Courts below in rejecting the said complaint and the Revision and therefore, the Petition being devoid of merits, deserves to be and is accordingly rejected.

Sd/-

(P. Sam Koshy)
JUDGE