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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE  
HON'BLE SHRI JUSTICE RAVI MALIMATH,  
CHIEF JUSTICE

&  
HON'BLE SHRI JUSTICE VISHAL MISHRA

ON THE 13<sup>th</sup> OF JULY, 2023

WRIT APPEAL No. 858 of 2023

**BETWEEN:-**

SMT. SUMAN VISHWAKARMA W/O SHRI PRAKASH  
VISHWAKARM, AGED ABOUT 50 YEARS, OCCUPATION:  
HOUSE WIFE R/O BEHIND PETROL PUMP, KAROND  
NALA, ADHARTAL, JABALPUR (MADHYA PRADESH)

.....APPELLANT

(BY SHRI RAKESH SINGH - ADVOCATE)

**AND**

1. THE STATE OF MADHYA PRADESH, THROUGH  
SECRETARY, HOME DEPARTMENT, VALLABH  
BHWAN, BHOPAL (MADHYA PRADESH)
2. THE DIRECTOR GENERAL OF POLICE, POLICE  
HEADQUARTERS, JAHANGIRABAD, BHOPAL,  
(MADHYA PRADESH)
3. THE SUPERINTENDENT OF POLICE, JABALPUR,  
DISTRICT JABALPUR, (MADHYA PRADESH)
4. THE ADDITIONAL SUPERINTENDENT OF POLICE,  
JABALPUR DISTRICT JABALPUR (MADHYA  
PRADESH)
5. THE CITY SUPERINTENDENT OF POLICE,  
DIVISION ADHARTAL, DISTRICT JABALPUR,  
(MADHYA PRADESH)
6. THE TOWN INSPECTOR, POLICE STATION  
ADHARTAL, DISTRICT JABALPUR (MADHYA  
PRADESH)

7. **THE INVESTIGATING OFFICER, POLICE STATION  
ADHARTAL, DISTRICT JABALPUR (MADHYA  
PRADESH)**

.....RESPONDENTS

***(BY SHRI SUYASH THAKUR - GOVERNMENT ADVOCATE)***

*This appeal coming on for admission this day, the Court passed the following:*

**ORDER**

The appellant seeks the following reliefs-

"7.1- That the Hon'ble court may be pleased to direct the respondents to put the reply in parawise with displayed video footage explanation and may be pleased to direct for fair investigation to another investigating agency other than police Adhartal Jabalpur because they are not taking case seriously whereas all subordinate officers misleading to the superior officer.

7.2- That the Hon'ble court may be pleased to direct the police officers to delete the name of the petitioner's son from the FIR and may be please to direct the officers to take subjection of video expert in presence of the petitioner and also produce mobile tower location, as well as examine all witness with experts.

7.3- The Hon'ble court may be pleased to punish to those police officers who were pressurizing the petitioner for withdrawing the CM Helpline complaint and threatening that your house will be demolished.

7.4- It is therefore, prayed that the Hon'ble Court may be pleased to allow the appeal and set aside the order dated 14.06.2023 of single judge of this court in W. P. No.12265/23 and direct for fair investigation by superior officer other than Adhartal police range and please grant relief as mentioned in the relief clause with good direction as deemed fit in the interest of justice."

It is submitted that there are various materials pertaining to the case which the concerned Investigating Officer is not showing much interest.

The learned Government Advocate submits that the duty of the Investigating Officer is to collect all information in support of the prosecution. There is no hesitation to receive any material or information from the petitioner. But if at all the petitioner wants to furnish any material, Investigating Officer

would take that into consideration while preparing the material for the investigation. His submission is placed on record.

The appeal is accordingly disposed off.

**(RAVI MALIMATH)**  
**CHIEF JUSTICE**

Loretta

**(VISHAL MISHRA)**  
**JUDGE**

