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WP-14657-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SURESH KUMAR KAIT,
CHIEF JUSTICE

&

HON'BLE SHRI JUSTICE VIVEK JAIN

ON THE 7th OF MAY, 2025

WRIT PETITION No. 14657 of 2025

JITENDRA AHIRWAR

Versus

THE STATE OF MADHYA PRADESH AND OTHERS

.....
Appearance:

Shri D.K. Upadhyay - Advocate for petitioner.

Shri Abhijeet Awasthy - Deputy Advocate General for respondents/State
.....

ORDER

Per. Hon'ble Shri Justice Suresh Kumar Kait, Chief Justice

The petitioner has filed this petition seeking the following reliefs:-

"I. Issue a writ in the nature of mandamus to direct the Respondent authority to make an enquiry through independent agency other than the Police in, - respect of damage and replacement of the statue of the Dr. Bhim Rao Ambedkar which was installed two year ago in the village Dargada, PS Dhuma District Seoni.

II. Issue a writ in the nature of mandamus to direct the Respondent authority to make an independent enquiry in respect of the conduct of the Police and further direct the respondent authority to take appropriate action against the responsible person against the culprit and also take appropriate action against the person who are involved in protecting the culprit.

III. Any other order/orders that this Hon'ble Court deems fit the proper in the facts and circumstances of the case may also kindly be passed."

2. Pursuant to the order dated 30.04.2025, affidavits of Shri



Shatrughan Patle, IO/SHO, Police Station, Dhuma and Shri Sunil Mehta, Superintendent of Police, Seoni have been filed. In the affidavit filed by Shri Sunil Mehta, Superintendent of Police, Seoni it is stated that the alleged incident had occurred in the night of 11.02.2025, wherein, the statue of revered Dr. Bhim Rao Ambedkarji located at Bajar Chowk Village Dargada, Police Station, Dhuma District Seoni was found damaged. The said incident was informed by the residents of that village promptly through Dial 100 facility at around 9.00 PM and in response thereto, Shri Sourabh Sharma, Assistant Sub Inspector, reached the site by approximately 9.30 PM to assess the situation and did initiate necessary actions. Next day on 12.02.2025 at around 12.10 PM, a formal complaint was lodged by Shri Vinod Rathore resident of Village Dargada. Consequently, an entry was made in Rojnamcha (general diary) at about 12.27 PM and thereafter an FIR bearing Crime No.43/25 has been registered at Police Station Dhuma District Seoni against unknown persons for the commission of offence punishable under Sections 298, 299 and 324 (2) of Bhartiya Nyay Sanhita, 2023. Since there was no eye-witness and there is no availability of CCTV Cameras, on 16.02.2025 an individual who is a resident of nearby village came forward as a chance witness. He alleged that he overheard a conversation between some persons and they purportedly admitted their involvement in destruction of the statue.

3. Immediate steps were taken to verify the claim made by said person and it was found to be unsubstantiated. Further steps are being taken to find out the real culprit who committed the offence in question and assures this Court that the Superintendent of Police, Seoni is fully cognizant of the



seriousness of the matter that has hurt sentiments of public. Every effort is being made to ensure that the investigation is thorough, impartial and leads to identification and prosecution of culprits. The steps taken by the police have also been mentioned in the affidavit.

4. Since the FIR has already been lodged, we hereby direct the SHO/IO concerned and the Superintendent of Police concerned to continue the investigation till the culprits are booked. A monthly report shall be filed before the concerned Magistrate.

5. In view of the above, no further order is required to be passed in the present case. Hence, this petition is disposed of on the above terms.

(SURESH KUMAR KAIT)
CHIEF JUSTICE

(VIVEK JAIN)
JUDGE

SKM