HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous (Petition) No. 2668/2026
CNR: RJHC020399232026 | URN: CRLMP / 6032U / 2026

Smt. Somvati Wife of Shri Ramniwas, Aged About 42 Years, Resident of Shyam Nagar Colony, Ghanora Road Bari, Thana Bari, District Dholpur (Raj.)

----Petitioner

Versus

1. State of Rajasthan Through Public Prosecutor.
2. The Director General of Police, Jaipur Mahanagar, Jaipur.
3. The Commissioner of Police, Jaipur (Raj.)
4. The Superintendent of Police, District Dholpur (Raj.)
5. SHO, Police Station Bari, District Dholpur.

----Respondents

For Petitioner(s)	:	Mr. Neeraj Sharma
For Respondent(s)	:	Mr. N.S. Dhakar, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

07/08/2026

1. The instant miscellaneous petition under Section 528 of BNSS has been filed by the petitioner seeking direction for conducting fair, impartial and effective investigation of the FIR No.13/2026 registered at the Police Station Bari, District Dholpur for offence punishable under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The petitioner submitted an F.I.R. against a person for the aforesaid offence but according to the petitioner, police authorities have not taken any action against the accused person.

3. This Court is of the opinion that in view of the observations made and directions issued by the Hon'ble Supreme Court in the case of **Sakiri Vasu Vs. State of U.P., AIR 2008 SC 907,** no person can be encouraged to directly approach this Court for seeking direction of fair investigation and if he/she is aggrieved of any lack of action by the police officials as regards to the FIR which has been filed by him/her, the appropriate course of action for the aggrieved person is to approach the concerned Magistrate having jurisdiction, who can call for the report from the Investigating Officer and also instruct the Investigating Officer to investigate the matter fairly. If the petitioner is aggrieved by any inaction of the police, then he/she should move to the appropriate Court in accordance with the directions issued by the Hon’ble Supeme Court in the aforesaid judgment. Thereafter, the trial court shall call for the report from the I.O. and issue appropriate direction in consonance with the view expressed by the Hon'ble Supreme Court.

4. Resultantly, the Criminal Miscellaneous Petition being bereft of any force, is hereby dismissed.

5. Stay application and pending application(s), if any, stand disposed of.

(ANIL KUMAR UPMAN),J

47/LALIT MOHAN