

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1073 of 2013

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Ranveer Kumar Singh son of Shri Chharida Singh resident of village- Ram Nagar, P.O- Dholi, P.S- Sakara, District- Muzaffarpur, presently posted at 612, ASC Battalion, C/O 56 APO, Army Cant, Jodhpur, Rajsthan.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Director General- Cum- Inspector General o Police, Bihar, Patna.
3. The Inspector General of Police, Tirhut Range, Muzaffarpur
4. The Deputy Inspector General of Police, Tirhut Range, Muzaffarpur.
5. The Senior Superintendent of Police, Muzaffarpur.
6. The Officer- in- Charge, Sadar Police Station, Muzaffarpur.
7. The Investigating Officer, Sadar Police Station, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate
For the Respondent/s : Mr. Rakesh Kumar Sharma, A.C. to G.P.-27

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 09-02-2015 The instant application under Articles 226 and 227 of the Constitution of India has been filed with a prayer for issuance of a direction to the respondents-authority to complete the investigation of Sadar Muzaffarpur P.S.Case No.189 of 2012 dated 20th July, 2012.

The aforesaid police case was registered on the basis of a written report submitted by the petitioner to the SHO Sadar Police Station, Muzaffarpur dated 20th July, 2012. The FIR was registered against unknown for the offences punishable under sections 420, 406 and 379 of the Indian Penal Code.

The grievance of the petitioner is that despite lapse of over two years and six months, the police have not been able to submit report under section 173 of the Code of Criminal Procedure before the Magistrate.

A counter affidavit has been filed on behalf of respondent no.5. Learned counsel for the State has submitted that the investigation of the case is being carried out in a fair and impartial manner and since the withdrawal of amount in question was made from Keenjhar Branch, Odisha the investigation could not be completed till date. However, he has submitted that necessary steps are being taken by the police to conclude the investigation of the case as early as possible.

Be that as it may, to hold investigation into a cognizable offence is statutory right and duty of the police. When the statutory authority forget the investigation of the case or when the investigation by the local police is not in proper direction, this Court may rescind the investigating agency to discharge their duty in true spirit of law. A prompt and sensitive investigation is indispensable to the criminal justice system. Apparently, it seems that the police are not conducting the investigation with due seriousness and promptness.

In that view of the matter, I direct the Superintendent of

police, Muzaffarpur to personally look into the matter and ensure an effective and speedy investigation of the case.

With these observations, the application is disposed of.

(Ashwani Kumar Singh, J)

Md.S./-

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