

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.105 of 2014

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1. Indu Devi W/O Dinesh Rai Resident Of Village- Rasalpur, P.S.- Simri,
District- Darbhanga

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Director General Of Police Bihar, Patna
3. The Inspector General Of Police Darbhanga
4. The Deputy Inspector General Of Police Darbhanga
5. The Senior Superintendent Of Police Darbhanga
6. The Superintendent Of Police Town, Darbhanga
7. The Investigating Officer (I.O.) Singhwara Police Station, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Respondent/s : Mr. Mithilesh Kumar Pathak

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 15-01-2015 The way the investigation of Singhwara P.S. Case No. 210 of 2012 registered for the offences punishable under sections 376 and 511 of the Indian Penal Code is being conducted depicts a sorry state of affairs on the part of the investigating agency. The F.I.R. was registered on 4th August, 2012 against the sole named accused. Despite lapse of more than two years, the investigation of the case is not completed.

It is true that at the stage of investigation the Court has no role to play but at the same time it is equally true that a sensitive and committed investigating agency is indispensable to the interest of justice. To hold investigation in a cognizable case is the statutory right of the police. However, the investigating

agency must promptly take all necessary steps, conclude the investigation and submit its report to the Magistrate concerned. It cannot sit tight over the matter of investigation for an indefinite period. The facts of the present case would reveal that the investigating agency is neither sincere nor committed to investigate the case properly.

In that view of the matter, I direct the Superintendent of Police, Darbhanga to personally look into the matter and ensure that the investigation of the case is concluded within two months from the date of receipt/production of a copy of the order.

It is made clear that it would be open for the investigating agency to submit such report as it deems fit and proper on the basis of materials collected in course of investigation.

With these observations, the writ petition is disposed of.

Registry is directed to send a copy of the order to the Superintendent of Police, Darbhanga.

(Ashwani Kumar Singh, J)

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