

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.25926 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Home appearing for respondents 1 to 3.

Learned Government Pleader for Home appearing for respondents 1 to 3 submits that First Information Report has not been registered against the 4th respondent, but a petty case under Sections 504 and 323 read with 34 I.P.C. has been booked on 18.07.2016 after obtaining permission from the IV Metropolitan Magistrate, Ibrahimpatnam, Cyberabad, and investigation is under progress.

Having regard to the judgment in **Lalitha Kumari v. State of Uttar Pradesh**^[1], it is incumbent on the part of the 3rd respondent to register First Information Report on the complaint made by the petitioner.

Even according to respondents 1 to 3, the complaint made by the petitioner discloses a non-cognizable offence and permission of the Court is also obtained. So without registering First Information Report, it is not open to respondents 1 to 3 to state that some investigation is being done.

Therefore, the Writ Petition is disposed of directing the 3rd respondent to register First Information Report against the 4th respondent in respect of the alleged incident; take up investigation in accordance with law and file a final report. The registration of First Information Report shall be done within a period of one week from the date of receipt of a copy of this order. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand dismissed.

Date:11.08.2016
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[\[1\]](#) (2014) 2 SCC 1