

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 22179 of 2016

ORDER :

Heard the learned counsel for the petitioner and the Assistant Government Pleader for Home for the State of Telangana appearing for the respondents. At the request of both the counsel, the Writ Petition is being taken up for disposal at the stage of admission.

2. The grievance of the petitioner is that though he sent a report dated 27.06.2016 to respondents 2 to 4 by registered post with acknowledgement due, respondents 3 and 4 refused to receive the said report and returned the same. Though respondent No.2 received the same, no First Information Report is issued till date.

3. On the other hand, learned Assistant Government Pleader submits that it is mandatory on the part of the police to receive the report and register the same, if it *prima facie* discloses commission of cognizable offence. However, he submits that nothing prevented the petitioner from approaching the police station concerned and lodge a report personally instead of sending it by registered post.

4. Since the counsel for the petitioner expresses the willingness of the petitioner to go to the police station for lodging the report, the Writ Petition is disposed of directing

the petitioner to present a fresh report to respondent No.3 personally, in which event, the authority shall scrupulously follow the guidelines laid down in the judgment of the Apex Court in ***Lalita Kumari vs. Government of Uttar Pradesh***^[1]. However, if any crime is registered for the offence punishable with imprisonment of seven years or less, the police shall also follow the judgment of the Apex Court in ***Arnesh Kumar v. State of Bihar & another***^[2].

5. Pending miscellaneous petitions in the Writ Petition shall stand closed. No order as to costs.

C.PRAVEEN KUMAR, J

11.07.2016

DRK

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[\[1\]](#) (2014) 2 SCC 1

[\[2\]](#) 2014 (2) ALT (Cri.) 457 (SC)