

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 22150 of 2016

ORDER :

Heard the learned counsel for the petitioners and the Assistant Government Pleader for Home for the State of Telangana appearing for respondents 1 to 3. At the request of both the counsel, the Writ Petition itself is being taken up for disposal at the stage of admission. Since this Court is not deciding the case on merits, it may not be necessary to hear unofficial respondents 4 to 13.

2. The present Writ Petition came to be filed seeking implementation of the judgment of the Apex Court in ***Lalita Kumari vs. Government of Uttar Pradesh***^[1]. It is the case of the petitioners that though they lodged a report on 24.05.2016 before respondent No.3 disclosing commission of a cognizable offence, no First Information Report (F.I.R.) is issued till date. The learned Assistant Government Pleader states that the Will, which is alleged to have been forged, has not been submitted along with the report and as such the police could not register a case. That being the position, the petitioners shall lodge a fresh report duly enclosing all the documents, including the will, in which event the respondent No.3 shall follow the guidelines laid down in *Lalita Kumari's* case (1 supra).

However, if any crime is registered for the offence punishable with imprisonment of seven years or less, the

police shall follow the judgment of the Apex Court in *Arnesh Kumar v. State of Bihar & another*^[2].

3 The Writ Petition is accordingly disposed of with the aforesaid directions. 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)