

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
WRIT PETITION No. 37700 OF 2015
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ORDER

The prayer of the petitioner in this case is as under:

“The Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of writ of mandamus, declaring the in action of the Respondents herein in not investigating the matter and taking further action in pursuance of the Crime registered on the file of the Chillakallu Police Station in FIR No. 113/2014, dated: 22.04.2014, under Section 174 of Cr.P.C, as illegal, arbitrary and violative of the rights guaranteed under the Constitution of India and consequently direct the Respondents 2 and 3 herein to investigate into the matter and apprehend the Accused persons in pursuance of the crime registered in FIR No. 113/2014, by the Chillakallu Police Station, dated: 22.04.2014, under Section 174 of Cr.P.C, forthwith and to pass such other order or orders as the Hon'ble Court may deem fit and proper in the interest of justice.”

Though the prayer gives one to understand that the investigation is still ongoing in relation to Crime No.113 of 2014 on the file of Chillakallu Police Station, the material filed along with the writ petition reflects that the final report dated 23.10.2014 was filed by the police authorities before the competent criminal Court treating the case as 'Action Dropped'.

Once the petitioner, being the complainant in Crime No.113 of 2014 on the file of Chillakallu Police Station, was informed of the conclusion arrived at by the police authorities and if he had a grievance therewith, it was for him to take recourse to appropriate remedies in accordance with law. Without doing so, he cannot complain that the police authorities were not investigating the said crime after filing of the final report.

The writ petition is therefore closed leaving it open to the petitioner to workout his remedies in accordance with law before the appropriate forum.

Pending Miscellaneous Petitions shall also stand closed. No order as to costs.

Date: 26.02.2016
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SANJAY KUMAR, J