

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 19042 of 2016

ORDER:

-

Heard learned counsel for the petitioner and Government Pleader for Home. With the consent of both the parties, the writ petition being taken up for disposal at the admission stage itself.

The present writ petition came to be filed with the following prayer:

“Issuance of writ of mandamus declaring the action of the third respondent in not registering a complaint for an offence under Section 306 IPC against the petitioner’s wife and father-in-law, on the basis of statement recorded by them from the petitioner against his attempt to commit suicide on 15.05.2016, as illegal, arbitrary and violative of principles of natural justice; and consequently direct the third respondent to register the case immediately for an offence under Section 306 IPC against the wife and father-in-law of the petitioner.”

A perusal of the material on record does not anywhere indicate lodging of any report by the petitioner. On the other hand he wants the averments made in the affidavit filed in support of the writ petition to be treated as First Information Report.

Learned counsel for the petitioner submits that the admission of the petitioner in Apollo Hospital, Hyderabad on 16.05.2016 itself is sufficient to initiate action against the wife and father-in-law of the petitioner.

No material is placed on record to show that the Apollo

Hospital, Hyderabad, sent any intimation to the police about the admission of the petitioner in Apollo Hospital on 16.05.2016. Therefore, the question of taking action on such admission would not arise. Though there is no death, the petitioner submits the authorities failed to register a case for an offence punishable under Section 306 IPC which in my view cannot be done. Secondly no report is lodged till date bringing to the notice of the police the commission of either cognizable or non-cognizable offence.

Hence, I see no merits in the writ petition and the same is accordingly, dismissed. However, the petitioner is always at liberty to lodge a report to the police, in which event the same shall be dealt with in accordance with law, un-influenced by the observations, if any, made by this Court. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

16.06.2016
gkv