

THE HON' BLE SRI JUSTICE PRAVEEN KUMAR

WRIT PETITION No. 15663 of 2017

ORDER:

1) Heard learned counsel for the petitioner and Government Pleader for Home.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent Nos.2 to 4 in not investigating the offences committed by respondent Nos.5 to 9, as illegal and contrary to law.

3) The grievance of the petitioner is that cheques, which are subject matter of dispute, are being used by the un-official respondents and the police have intentionally not seized the cheques. The argument of the learned counsel for the petitioner is that though the charge sheet has been filed in Crime No.15 of 2016 but the police have intentionally omitted the names of the un-official respondents, who are shown as respondent Nos.5 to 9.

4) As seen from the record initially a case in Crime No.15 of 2016 came to be registered on the basis of the report given by the petitioner. Police investigated into the matter and filed charge sheet, which was taken on file as C.C.No.551 of 2016. It may be true that the names of some of the accused, which were referred to in the first information report are deleted. But Criminal Procedure Code provides a remedy to the petitioner, if the name of the persons, who are shown as accused in the first information

report, are deleted by the police after investigation, while filing the charge sheet. Hence, I see no ground to entertain the writ petition. But however, the petitioner is always at liberty to avail the remedies available under Criminal Procedure Code.

5) Accordingly, the writ petition is disposed of. No order as to costs. Miscellaneous applications, if any, pending in this writ petition shall stand closed.

01.06.2017
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JUSTICE PRAVEEN KUMAR

