

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

W.P.NO.22880 OF 2017

ORDER

The grievance of the petitioner is that though he filed a report before the 4th respondent – Station House Officer, against the unofficial respondent No.5 on 24.01.2017, which discloses commission of an offence, no crime is registered. Hence the present writ petition.

The learned Government Pleader for Home, on instructions, submitted that the respondents have not received any report from the petitioner and if any report is received, appropriate steps will be taken strictly in accordance with law.

Though the case of the petitioner is that he filed report on 24.01.2017 before the 4th respondent – Station House Officer and also sent report through registered post to the 3rd respondent – Deputy Superintendent of Police, no tangible material like postal acknowledgment or any endorsement of appropriate authority, is filed in proof of his averments.

Therefore, without expressing any opinion on the claim of the petitioner, the writ petition is disposed of at the stage of admission, given liberty to the petitioner to lodge fresh report before the police concerned, in which even, the same shall be dealt with in terms of the guidelines laid down

by the Apex Court in ***LALITA KUMARI Vs. GOVERNMENT OF UTTAR PRADESH***¹. In case if the averments in the report do not make out a case, then a copy of the said finding arrived at by the police shall be communicated to the petitioner giving reasons, so as to enable him to avail the remedies available under law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

12.07.2017
AVS



¹ (2014) 2 SCC 1