

HON' BLE SRI JUSTICE M. SATYANARAYANA MURTHY

WRIT PETITION No.15937 of 2017

ORDER:

This writ petition is filed challenging the inaction of the 3rd respondent in registering a crime against the 4th respondent on the complaint, dated 18.03.2017, submitted by the petitioner.

The grievance of the petitioner is that though he gave a complaint on 18.03.2017 alleging the commission of cognizable offence by the 4th respondent, the police did not register any crime thereon strictly adhering to the guidelines issued by the Hon'ble Apex Court in Lalita Kumari v. Government of U.P¹.

Learned Government Pleader for Home submitted that the 3rd respondent received unsigned complaint from the petitioner without disclosing any cognizable offence, therefore, the 3rd respondent did not register any crime against the 4th respondent.

During hearing, Sri M.R.K.Chakravarthy, learned counsel for the petitioner, admitted that the complaint made by the petitioner does not contain her signature and this contention supports the plea of the Government Pleader for Home. However, the learned counsel for the petitioner agreed that the petitioner would submit a fresh complaint. If such complaint is received, the police shall follow the procedure laid down by the Hon'ble Apex Court in Lalita Kumari's case referred supra.

In the instant case, the 3rd respondent is not competent to register any crime on the complaint, dated 18.03.2017, made by the petitioner, as it does not bear the signature of the petitioner. Therefore, at this stage, no direction can be given to the 3rd respondent

¹ 2014 (2) SCC 1

to register any crime adhering to the guidelines issued in Lalita Kumari's case pursuant to the complaint dated 18.03.2017.

Leaving it open to the petitioner to submit fresh complaint with necessary requirements, the Writ Petition is dismissed. No costs.

Miscellaneous petitions, if any pending in this petition, shall stand closed.

11-05-2017
v v/ prv

M. SATYANARAYANA MURTHY, J

