HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.38208 of 2017

ORDER:

Heard Sri Gade Venkateswara Rao for petitioner and the Assistant Government Pleader (Home) for respondents 1 to 3.

The petitioner complains against the delay in registering complaint, dated 10.05.2017 and keeping the complaint in abeyance by letter, dated 16.10.2017, as illegal, void and capricious.

This Court is not examining the allegations made in the complaint or the probable explanation respondents 5 to 7 may have in this behalf. But, what appears *prima facie* unsustainable, which is not disputed by the Assistant Government Pleader (Home) as well, is that the 3rd respondent has not made G.D. entry of complaint received from the office of Superintendent of Police/2nd respondent. The purpose and object of G.D. entry by police on receipt of complaint or information need not be explained and it is sufficient to notice that the complaint if received, the 3rd respondent is required to make G.D. entry and as laid down by the Hon'ble Supreme Court in *LALITHA KUMARI Vs. GOVERNMENT OF U.P. & OTHERS*[1], proceed with the investigation and if an offence whether cognizable or non-cognizable is made out, register FIR and proceed with the investigation thereafter. The closure of complaint through letter dated 16.10.2017 *prima facie* is untenable and illegal.

[1] (2014) 2 SCC 1

Hence, the writ petition is disposed of directing the 3rd respondent to make G.D. entry of complaint dated 10.05.2017 and proceed with the investigation as held in *LALITHA KUMARI's case* (supra). The 3rd respondent is given liberty to call for such information as is necessary from petitioner as well for comprehensive investigation before either a report or charge-sheet is filed in this behalf.

Miscellaneous petitions, if any, pending, shall stand closed. No order as to costs.

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S. V. BHATT, J

Dt: 15-11-2017
Prv

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते