

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.36074 of 2017

ORDER:

The petitioner complains inaction in completing investigation into Crime No.7 of 2017 on the file of 3rd respondent, as illegal and unconstitutional.

The Assistant Government Pleader placed on record the written instructions dated 02.11.2017 which reads as follows:

“Basing on the same a case in Cr.No.7/2017 was registered for the offences u/sec 354, 323, 506 r/w 34IPC of I town police station and took up the investigation.

During the course of investigation the respondent police visited the scene of offence and prepared rough sketch. 5 witnesses were examined and recorded their statements. The investigation disclosed that there was a property disputes between the petitioner and the accused since long time. When the complainant/petitioner went to the said alleged property for seeing meanwhile they started quarrel between each other, hence the complaint was registered.

It is further submitted that the investigation disclosed that no such incident was took place and the complicity of the alleged accused were not established. Hence, the respondent police send proposals to the Deputy Superintendent of Police Central Zone to accord permission to refer the case as false. And the same was referred as “FALSE” after getting permission from DSP vide C.No.402/DSP CZ/RJY (U)/2017 on 21.10.2017.”

From the above, it is clear that investigation is completed and the 3rd respondent by following the procedure will file final report and serve on petitioner the copy of it before hand. The petitioner is given liberty to pursue the remedies, if aggrieved by the final report, in accordance with law.

Writ petition is accordingly, disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 13.11.2017
dv



S. V. BHATT, J

