

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Writ Jurisdiction Case No.291 of 2016

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1. Mukul Anand Son of Sri Kailash Bihari Chaudhary Resident of Village-Bhagatpur , Post Office, Bhagalpur, PS Balia, District Begusarai Presently residing at IH,44, Mahatma Gandhi Nagar Kankarbagh Patna.

.... Petitioner/s

Versus

1. The Union of India Through The Finance Secretary, Government of India, New Delhi
2. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
3. The Director General-cum-Inspector General, Government of Bihar Patna.
4. The Inspector General of Police, Patna.
5. The Deputy Superintendent of Police, Patna
6. The Officer-in-Charge-cum-Investigating officer, Sultanganj Police Station District Patna.
7. The Chief Executive Officer, Reliance Life Insurance Company limited, H Block, , Dhiru Bhai Ambani Knowledge City Navi Mumbai Maharashtra Pin-400710 null null
8. Branch Manager, Reliance Life Insurance Company , 4th Floor Shashi Bhawan Exhibition Road, Patna, Pin-800001
9. Corporate Agent (Code 21443912) of Reliance Life Insurance Namely Uniweath Insurance Brokers Private Limited B-4 /34, Sector 7 Rohini Delhi.
10. Chairman, Insurance Regulatory and Development Authority (IRDA) Parishram Bhawan, Basheerbagh Hyderabad Pin-500004

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Ravindra Kumar
For the Respondent Nos. & & 8 : Mr. Sandeep Kumar,
Mr. Amaresh Kumar Sinha,
For Respondent No. 10 Mr. Anjani Kumar Sharan, Adv.
Mr. Raj Kamal, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

17 02-05-2018 Heard learned counsel for the petitioner, learned counsel representing the State as well as learned counsel representing the private respondent Nos. 7 & 8.

The petitioner has moved this court for a mandamus



directing the respondents to properly investigate the police case being Sultanganj P.S. Case No. 09 of 2014 dated 18-01-2014 and to take proper action against the accused persons. The petitioner is aggrieved because the investigation of the case has yet not been completed and the final form has not been submitted even after a lapse of more than four years.

Learned counsel for the State is present and has pointed out from the counter affidavit and supplementary affidavit that the I.O. of the case has been changed and now, the I.O. who has been investigating the matter, has taken steps to verify the name and address of the accused persons. Accused persons are said to be employees of the company namely, M/S Reliance Life Insurance Company Ltd. It is submitted that in the nature of allegation, the investigation is likely to take some more time.

Learned counsel representing respondent Nos. 7 & 8 has opposed the writ application and has submitted that in fact, the petitioner is seeking refund of his money, which was deposited by way of premium for obtaining the Life Insurance Policy and the present case has been lodged only in order to pressurize the company in question to refund the money. Learned counsel submits that admittedly, the money was received by the company in lieu of the Life Insurance Policy in his name. Under the policy, the petitioner had the policy documents containing terms and



conditions. In terms of the policy conditions, a free look period of 15 days was provided within which, the petitioner could have refused to accept the terms and conditions but once the petitioner has not taken any objection to those terms within the prescribed period, the insurance contract has stood concluded. In the nature of allegations, learned counsel submits that there is nothing left for investigation and the police could have submitted the final form but the reasons not known to the private respondents, the matter has remained pending so long.

Having heard learned counsel for the petitioner, learned counsel representing the State and learned counsel representing the private respondents, this court is of the considered opinion that in the nature of allegations, as the insurance company has also admitted receipt of the money and the dispute relating to the payment has been brought to the notice of this court, the investigating officer is directed to look into the matter, complete the investigation within a period of three months and submit the final form u/S 173 of the Cr.P.C. in accordance with law in the court below without any further delay.

This writ petition stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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