

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.12530 OF 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the only grievance of the petitioner is in respect of non-registration of a crime pursuant to the report lodged by the petitioner on 20.03.2017 with the Station House Officer, Laveru Police Station, Laveru/respondent No.1 herein.

2. I have heard the submissions of Sri P.Nagendra Reddy, learned counsel for the petitioner, and of the learned Government Pleader for Home (A.P.), appearing for the respondents. I have perused the material record.

3. Learned counsel for the petitioner would submit that if a direction is given to register the crime and investigate into the same in accordance with the procedure established by law, the ends of justice would be met.

4. Learned Government Pleader for Home, on written instructions, dated 17.04.2018, a copy of which is placed on record, would submit that it is falsely alleged that the petitioner has made a complaint, on 20.03.2017, i.e., about one year back and the present writ petition is filed, on 11.04.2018, and therefore, there are laches on the part of the petitioner in filing the present writ petition; and, that the present writ petition is liable to be dismissed.

5. A perusal of the written instructions and the consideration of the submissions show that the receipt of the report by the police is not in dispute.

6. Having regard to the facts and submissions and in view of the guidelines in the decision in **Lalita Kumari Vs. Government of Uttar Pradesh**¹, the police, on receipt of a report, shall not keep quiet and shall take suitable action even in case the report does not disclose cognizable offence. As per the said guidelines, in the event, the offences alleged are non-cognizable, the police authorities are bound to follow the due procedure laid down in Section 155 Cr.P.C.

7. In that view of the matter, the Writ Petition is disposed of reiterating the guidelines of the Supreme Court in the aforesaid precedent and directing the police officer concerned to take suitable action in the matter. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE M.SEETHARAMA MURTI

Date: 26.04.2018
AMD

¹ (2014) 2 SCC 1

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