

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.14341 OF 2018

ORDER:

In this writ petition, under Article 226 of the Constitution of India, the main grievance of the writ petitioner is in respect of non-registration of a crime on the complaint, dated 03.04.2018, lodged by the petitioner with the Station House Officer, V Town Police Station, Kancharapalem, Visakhapatnam District, respondent No.4 herein.

2. I have heard the submissions of Sri S.V.K.Nageswara Rao, learned counsel for the petitioner, and of the learned Government Pleader for Home (A.P.), appearing for the respondents 1 to 4. I have perused the material record.

3. At the hearing, learned counsel for the petitioner would submit that if a direction is given to take suitable action on the said complaint of the petitioner, the grievance of the petitioner stands redressed.

4. Learned Government Pleader for Home, on written instructions, dated 23.04.2018, a copy of which is placed on record, would submit that the complaint of the petitioner discloses only non-cognizable offence.

5. Learned counsel for the petitioner would submit that when a complaint discloses a cognizable offence, the police are having a statutory obligation to register a crime and issue an F.I.R., and that the said issue is no longer *res integra* as the legal position in

connection with the registration of crimes is succinctly summarized in **Lalita Kumari Vs. Government of Uttar Pradesh¹**.

6. In the light of the aforestated legal position, the police are obliged to take appropriate necessary action on the report/complaint of the petitioner, which according to the petitioner, discloses commission of 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 view of the above said facts, submissions and the legal position obtaining, the Writ Petition is disposed of reiterating the guidelines of the Supreme Court in the aforestated precedent and directing the 4th respondent/Station House Officer, V Town Police Station, Kancharapalem, Visakhapatnam District, to take suitable action expeditiously on the complaint of the petitioner. 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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