

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.23293 OF 2018

ORDER:

This writ petition is filed challenging the action of the 4th respondent in not registering the FIR basing on the complaint of the petitioner dated 22.06.2018.

Learned counsel for the petitioner submits that the 4th respondent is not registering the complaint of the petitioner, though complaint made by the 5th respondent on the same day is registered in crime No.336/2018, dated 22.06.2018; and that the 4th respondent in collusion with the 5th respondent is not taking action on the complaint of the petitioner.

On the other hand learned Assistant Government Pleader for Home produced written instructions stating that petitioner has not made any complaint, so far, in respect of the incident took place on 22.06.2018, before the 4th respondent, either in person or through registered post; and that in respect of the said incident dated 22.06.2018, the 5th respondent has made a complaint on 22.06.2018 and basing on the same, a case in Crime No.336/2018 was registered. The other allegations made by the petitioner are all denied.

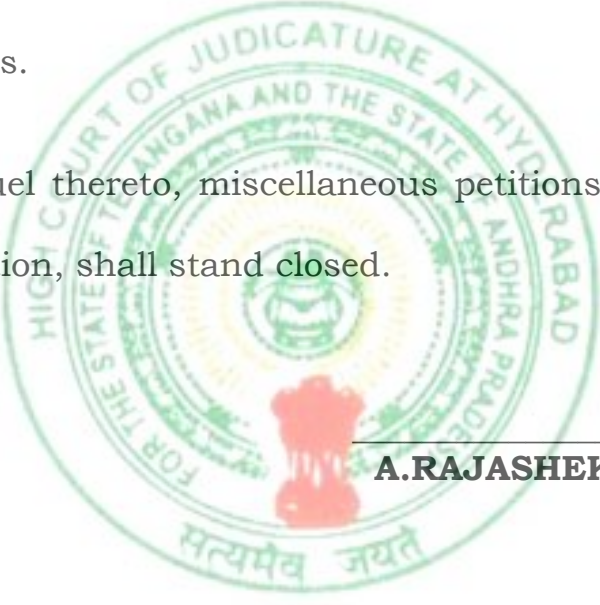
In this case there is no allegation that the 4th respondent is not receiving the complaint. The allegation is only with regard to non registration of the crime. No acknowledgment is produced by

the petitioner before this Court to show that complaint is received by the respondents. Further, when 4th respondent is not receiving the complaint, the petitioner has remedy under Section 154(3) of Cr.P.C. But, the petitioner has not invoked Section 154(3).

In view of the same, the writ petition is disposed of granting liberty to the petitioner to make fresh complaint or pursue remedy under Section 154(3) of Cr.P.C. If petitioner makes fresh complaint, or follows Section 154(3) of Cr.P.C., the respondent police are directed to take action on the same, in accordance with law. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

17.07.2018
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A.RAJASHEKER REDDY, J