

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.26248 OF 2018

O R D E R

Aggrieved by the action of 3rd respondent – Station House Officer, Dwaraka Police Station, Visakhapatnam, Visakhapatnam District in not registering the crime based on the complaint of the petitioner given under acknowledgement dated 18.08.2017, and in not conducting investigation, the present writ petition is filed.

Heard the learned counsel for the petitioner.

Learned Assistant Government Pleader for Home produced written instructions of Sub Inspector of Police, Dwaraka Police Station, Visakhapatnam City, stating that on receipt of the complaint of the petitioner, entry was made in the general diary of the police station on 18.08.2017 and conducted preliminary enquiry, which revealed that the allegations are of non-cognizable in nature and, therefore, the same was closed on 18.08.2017 itself and informed to the petitioner vide letter/notice through registered post on 06.08.2018.

It is to be seen that even in case of non-cognizable offence, before closing the complaint, the Sub Inspector of Police, has to obtain permission from the concerned Sub Divisional Police Officer, who is the competent authority. In this case, written instructions does not disclose that before closing the complaint of the petitioner, Sub Inspector has taken any permission.

In view of the same, Sub Inspector of Police, Dwaraka Police Station, Visakhapatnam City, is directed to take action on the complaint of the petitioner in accordance with law.

With the above direction, writ petition is disposed of.

Interlocutory applications pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:14—08—2018
AVS