

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.297 of 2017

Arising Out of PS. Case No.-609 Year-2016 Thana- SHASTRINAGAR District- Patna

Kumar Sunil Singh Son of Satya Narayan Singh Resident of Village/Mohalla
- Akauna Kothi, Keshri Nagar, Police Station - Shastri Nagar, District - Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Patna Range.
4. The Deputy Inspector General of Police, Patna.
5. The Senior Superintendent of Police, Patna.
6. The Deputy Superintendent of Police, Patna Sadar.
7. The Officer In-Charge, Shastri Nagar, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Adv. Mr. Vipin Kumar Singh, Adv.
For the Respondent/s	:	Mr. Manish Kumar GP-4

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

This application under Articles 226 and 227 of the Constitution of India has been filed by the petitioner for directing the respondent authorities to properly investigate Shastri Nagar P.S. Case No. 609 of 2016 registered inter alia under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel appearing for the petitioner submitted that though the first information report (for short



‘FIR’) of the case was instituted on 27.12.2016 specifically naming the accused persons involved in commission of the crime, the police are sitting tight over the matter. They have not yet completed the investigation and submitted their report before the court. Though charge-sheet has been submitted against one of the accused, the investigation as against others is still continuing. Due to the indifferent approach of the police in nabbing the accused persons involved in the commission of the crime, they are emboldened and are threatening the petitioner with dire consequences.

On the other hand, learned counsel appearing for the State submitted that on account of some reshuffle of the police officers posted in the police station, the investigation of the case could not be completed. However, efforts are being made to promptly complete the investigation of the case.

To hold investigation into a cognizable offence is the exclusive domain of the police, However, they cannot forget their duty to investigate the case and submit their report in the court after institution of the FIR.

Admittedly, the FIR was registered in 2016. The investigating officer is sitting tight over the matter. There is absolutely no sensitivity or commitment on the part of the police



in bringing the case to its logical end.

In that view of the matter, I direct the Senior Superintendent of Police, Patna to personally look into the matter and ensure that a speedy and effective investigation is made without unnecessary delay and a report under Section 173 of the Code of Criminal Procedure is filed before the court as early as possible preferably within two months from the date of receipt/production of a copy of the order.

With the aforesaid observation and direction, the writ petition is disposed of.

Let a copy of the order be transmitted to the Senior Superintendent of Police, Patna.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--

