

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.587 of 2019

Arising Out of PS. Case No.- Year-0 Thana- District- Patna

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KUNAL KUMAR aged about 26 years, Male, Son of Sri Vijay Rai, Resident of Village- Lakhipur Bigha, P.S.- Salimpur, District- Patna.

... .. Petitioner

Versus

1. The Director General Of Police, Bihar, Patna Bihar, Patna.
2. The I.G. Patna Range, Patna.
3. The Senior Superintendent of Police, District- Patna..
4. The Rural S.P. Patna District- Patna.
5. The D.S.P. Fatuha, District- Patna.
6. The S.H.O. Nadi Police Station Mojipur, District- Patna.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Suresh Singh, Advocate

For the Respondent/s : Mr.M. Nasrul Huda Khan, SC-I

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date : 15-04-2019

By the instant writ application preferred under Articles 226 and 227 of the Constitution of India, a prayer has been made by the petitioner for directing the respondents to institute first information report (for short 'FIR') regarding theft of his truck for which a complaint was filed in the court of Additional Chief Judicial Magistrate, Patna City vide Complaint Case No. 1410 of 2018 in which an order was passed by the learned Additional Chief Judicial Magistrate, Patna City to investigate the case in exercise of powers conferred under Section 156(3) of the Code of Criminal Procedure.

2. The grievance of the petitioner is that despite



the order passed by the learned Additional Chief Judicial Magistrate, Patna City, the police have not instituted the FIR for theft of the vehicle. The inaction on the part of the police has caused great prejudice to his rights, as he is unable to raise even his insurance claim against theft before the authorities.

3. In reply, learned counsel for the State has submitted that though there has been some delay in institution of the FIR, as per instruction received by him from the Officer-in-charge of Nadi Police Station, an FIR vide Nadi P.S. Case No. 92 of 2019, has already been instituted in the police station and investigation is going on. He submitted that in view of the redressal of the grievance of the petitioner, no direction is required to be issued by this Court.

4. Having regard to the submission made by the learned counsel for the State, since the grievance of the petitioner has already been redressed, the application is disposed of.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16-04-2019
Transmission Date	

