

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.9698 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking a Writ of Mandamus to declare the action of the 4th respondent/Station House Officer, Vemulawada Town Police Station, Rajanna Sircilla District, in not registering the crime on the complaint, dated 23.04.2019, lodged by the petitioner, as illegal, arbitrary and consequently direct the 2nd respondent/Superintendent of Police, Rajanna Sircilla District, to provide police aid to the petitioner by instituting Personal Security Officer (Gunman) on government costs.

2. Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Home appearing for the respondents and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner lodged a report, dated 23.04.2019, with the 4th respondent/Station House Officer, Vemulawada Town Police Station, Rajanna Sircilla District, for commission of cognizable offence. There is also acknowledgement to demonstrate the same. It is also submitted that there is a specific mention in the said report, dated 23.04.2019, to provide police aid to the petitioner to protect his life at the hands of the proposed accused.

4. There is no denial by the respondents with regard to the lodging of a report, dated 23.04.2019, by the petitioner with the 4th respondent. In the event of non-registration of crime by the

police concerned, as stipulated under Section 154 of Cr.P.C., the petitioner has alternative efficacious remedy to file a private complaint under Section 200 of Cr.P.C., before the Court concerned with a prayer to invoke the jurisdiction of the said Court to refer the said complaint to the police concerned for investigation under Section 156(3) of Cr.P.C. In the given circumstances, the petitioner is granted liberty to do so.

5. The averments in the affidavit filed in support of this Writ Petition reveals that there is a life threat to the petitioner. Under these circumstances, the respondents 2 to 4 are directed to provide adequate police aid to the petitioner in order to protect his life.

6. With the above observation/direction, this Writ Petition is disposed of.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

30th April, 2019
Bvv

Dr. SHAMEEM AKTHER, J