

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.23065 of 2019

ORDER:

The present writ petition is filed questioning the action of respondent No.4 in filing the charge sheet before the learned Additional Judicial First Class Magistrate, Shadnagar, without conducting proper investigation.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

Perusal of the material placed on record shows that, based on the complaint, dated 05.05.2017, made by the petitioner, the police authorities have registered a case in Crime No.232 of 2017 on the file of the Shadnagar Police Station, against respondents 5 to 11 herein, and took up the investigation. A notice under Section 41-A Cr.P.C. was served upon respondent No.5-accused No.1. Thereafter, respondent No.4 filed the charge sheet in the Court of the learned Additional Judicial First Class Magistrate, Shadnagar, on 03.01.2019, against respondent No.5-accused No.1. In the said charge sheet, it is stated that respondent Nos.6 to 11-accused Nos.2 to 7 are absconding and their whereabouts are not known and respondent No.5-accused No.1 is also non-cooperative in providing address of accused Nos.2 to 7. It is also stated that after arrest of respondent Nos.6 to 11-accused Nos.2 to 7, a supplementary charge sheet would be filed.

The main grievance of the petitioner appears to be with regard to the conduct of investigation and non-arrest of respondent Nos.6 to 11-accused Nos.2 to 7. If the petitioner has any grievance with regard to the conduct of investigation by respondent No.4, it is open for her to file a

protest petition before the Court below, where the charge sheet has been filed, and the matter can be looked into by the learned Magistrate.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:23.10.2019

GJ

