

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.25930 of 2019

ORDER:

The present writ petition is filed questioning the action of the third respondent in not adding appropriate provisions of IPC in the crime registered against the accused therein.

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

3. Learned Assistant Government Pleader for Home, on instructions, submits that based on FIR No.49 of 2019, dated 10.05.2017, investigation in the matter has been completed, a charge sheet has been filed before the concerned Court and the same is taken on record as C.C.No.690 of 2017, which is pending trial before the concerned Court. Learned AGP further submits that if the petitioner is aggrieved by the action of the authorities, it is always open for the petitioner to question the non-inclusion of the charge by approaching the concerned Court in terms of Section 216 of Cr.P.C.

4. Having regard to the above, this Court is of the view that the petitioner is at liberty to approach the concerned Court, where C.C.No.690 of 2017 is pending trial, seeking alteration of the charge, and thus, no further orders need to be passed in this writ petition.

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

JUSTICE T.VINOD KUMAR

Date:25.11.2019
GJ

