

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1188 of 2016

Arising Out of PS. Case No.-44 Year-2016 Thana- SHRIKRISHNAPURI District- Patna

Sanjay Kumar Singh son of Late Deep Narayan Singh resident of Ganesh Lal Lane, P.O. and P.S.- Digha, Patna- 800011.

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Old Secretariate, Patna- 800015.
3. The Inspector General of Police, Patna Zone, Police Office, Patna- 800001.
4. The Deputy Inspector General of Police, Central Range, Police Office, Patna- 800001.
5. The Senior Superintendent of Police, Patna- 800001.
6. The City Superintendent of Police, Central, Patna- 800001.
7. The Deputy Superintendent of Police, Sachivalya, Patna- 800015.
8. The Station House Officer, Shri Krishnapuri Police Station, Patna- 800001.
9. Shri Anil Kumar Sharma, father's name not known Sub Inspector of Police, Shri Krishnapuri Police Station, Patna- 800001.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. S.S. Thakur, Advocate Mr.Arvind Kumar, Advocate
For the Respondent/s	:	Mr.I.A. Niazi, AC to GP-5

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 24-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, in the present case, is seeking a writ in the nature of writ of mandamus commanding the respondents to complete investigation of Shri Krishnapuri P.S. Case no. 44 of 2016, G.R. No. 1137 of 2016 registered under Sections 34, 120B, 419, 420, 423, 447, 467, 468, 471, 504 & 506 of the Indian Penal Code.



Learned counsel for the petitioner has drawn attention of this court towards order dated 29.08.2018 passed by this court whereby while calling for the counter affidavit the court had expressed it's displeasure over the delay being caused in investigation of the case.

Pursuant to the said order, a counter affidavit has been filed on behalf of the State. In the counter affidavit, it is stated that for purpose of completion of investigation the informant was called upon to be present in the Police Station during working hours with the witnesses for recording of their statement under Section 161 Cr.P.C. but they did not turned up. Statements have been made that the petitioner is himself not cooperating with the investigation and, therefore, the investigation is pending.

In the given facts and circumstances of the case, instead of keeping the writ application pending, this court thinks it just and proper to dispose it off granting liberty to the petitioner to present himself with all the witnesses on his behalf before the Investigating Officer of the case within two weeks from today.

Learned counsel for the petitioner submits that petitioner would ensure his presence as well as presence of his



witnesses for purpose of recording of their statement in Shri Krishnapuri Police Station.

Senior Superintendent of Police, Patna (respondent no. 5) and the Station House Officer, Shri Krishnapuri Police Station (respondent no. 8) are thus directed to ensure that in between 16th March 2020 and 30th March, 2020 whenever the petitioner and the other witnesses turn up in the Police Station, their statements under Section 161 Cr.P.C. be recorded and then the Investigating Officer be directed suitably by the Supervising Authority and the entire investigation must be completed within a period of three months from today.

This Writ Application is disposed off with the aforesaid directions.

Learned counsel for the State shall inform the aforesaid respondents with regard to the present order.

(Rajeev Ranjan Prasad, J)

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