

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1251 of 2017

Arising Out of PS. Case No.- Year-1111 Thana- District-

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Mukesh Chandra Chakravarty @ Munna Patel Son of Mr. Rajendra Prasad,
Resident of Road No. 25/B, Rajiv Nagar, P.S.- Rajiv Nagar, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar
2. Senior Superintendent of Police, Patna, Bihar.
3. The Station House Officer, P.S.- Rajiv Nagar, Patna, Bihar.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Respondent/s : Mr. Iqbal Asif Niyazi, A.C. to G.P.-5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2022 Heard learned counsel for the petitioner and Mr.
Iqbal Asif Niyazi, learned A.C. to G.P.-5.

Petitioner in the present case is seeking the following
reliefs:-

“(i). Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities to institute a First Information Report under Sections 379/34 of the I.P.C. and prosecute the person named in the application made before the concerned respondent authorities.

(ii). Issuance of a direction, order or writ including writ in the nature of mandamus commanding the concerned respondent authorities to take necessary action against the persons named in the F.I.R. application for their illegal and criminal act of forceful taking possession of the shops of the petitioner.

(iii). Any other relief/reliefs that the petitioner may be



found to be entitled to in the facts and circumstance of the present case.”

Learned counsel for the petitioner submits that earlier when a counter affidavit was called for by learned coordinate Bench of this Court, Police registered a First Information Report but for last five years, the investigation has not been finalised.

Learned counsel further submits that the I.O. of this case is not taking interest in completion of investigation and that the delay of over five years in completion of investigation speaks against misconduct.

Mr. Iqbal Asif Niyazi, learned counsel for the State does not dispute that the First Information Report once registered is required to be investigated within a reasonable period.

Having regard to the facts and circumstances of the case, this Court directs the Senior Superintendent of Police, Patna (respondent no. 2) to look into the grievance of the petitioner and issue appropriate instruction to ensure completion of investigation within a reasonable time preferably within a period of four months from the date of communication of this order and submission of Police report in the learned court below. If it is found that I.O. of the case has remained sitting idle in the matter and has not worked, respondent no. 2 shall take



appropriate action in the administrative side.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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