

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8871 of 2022

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Bharti Prabhat D/o Late Lakhichand Ram R/o Nayka Gao, P.O. and P.S.-
Sasaram, Dist Rohtas and a practicing advocate Advocate at Sasaram, District
Court in Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director General of Police, Patna.
2. Superintendent of Police, Rohtas
3. Deputy Inspector General (D.I.G), Shahabad Range, Dalmiya Nagar,
Rohtas.
4. Officer in Charge, Sasaram (Town) P.S., Sasaram (Rohtas).
5. District and Session Judge, Rohtas (Sasaram).
6. Chief Judicial Magistrate, Sasaram (Rohtas).

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr. Manish Kumar , GP-4

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

Date : 21-07-2023

Heard learned counsel for the respondents. No one
appears on behalf of the petitioner.

2. The petitioner has filed the instant application in
the nature of a Public Interest Litigation for the following
relief(s):-

*“(1)(A) To orders respondents to ensure that no
F.I.Rs be refused to be registered by police officers
in cognizable offences and to take appropriate
disciplinary / penal action under section 166/166-
A/217, IPC against erring police officers for their*



repeated and deliberate refusal of registering the F.I.Rs. in cognizable offences, And/ or pass orders in terms of 'Lalita kumari case "reported in 2013(4) PLJR (SC) 504.

(B) To issue appropriate orders / guidelines to subordinate judicial officers to exercise powers under section 156 (3), Cr.P.C. to ensure registration of FIRs in the cases where complaints are filled by the victims /informants claiming that FIR has not be lodged in cognizable offence despite written applications submitted to S.H.Os and S.P. under section 154 (1) and section 154 (3), Cr.P.C. respectively.

(C) Other orders/directions the petitioner may found entitled at the time of hearing;"

3. Having gone through the material on record it transpires that the petitioner prays for a direction to the respondents to ensure that no F.I.Rs are refused to be registered in view of the judgment of the Hon'ble Supreme Court in the case of **Lalita Kumari vs. Govt. of U.P. and Ors. [2013 (4) PLJR (SC) 504]**.

4. In the opinion of this Court, the law already having been declared in the case of **Lalita Kumari** (*supra*) and the same being binding in view of Article 141 of the Constitution of India, no further order/direction is required. Further, for registration of an F.I.R, the person concerned has an equally



alternative and efficacious remedy under the Code of Criminal Procedure.

5. For the above reasons, as also on account of non-appearance of learned counsel for the petitioner, this Court finds that no purpose will be served in keeping this application pending.

6. The application is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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AFR/NAFR	
CAV DATE	N/A
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