HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Criminal Misc(Pet.) No. 5012/2024

Ramesh Kumar S/o Devi Lal, Aged About 62 Years, Ratanpura, Sangariya, Hanumangarh, Raj.

----Petitioner

Versus

1. State Of Rajasthan, Through Pp
2. The Superintendent Of Police, Hanumangarh.
3. The Station House Officer, Sangariya, Hanumangarh.

----Respondents

For Petitioner(s)	:	Mr. Sunil Beniwal a/w Mr. Shailendra Gwala.
For Respondent(s)	:	Mr. VS Rajpurohit, PP.

HON'BLE MR. JUSTICE ARUN MONGA

Order

23/08/2024

1. Dissatisfied with the progress and manner of the investigation, the petitioner/complainant seeks issuance of directions to the respondents to conduct a fair inquiry/investigation regarding FIR No.232/2024 dated 20.04.2024, registered under Sections 420, 464, 467, 468, 471 and 120B of IPC, at Police Station Sangariya, District Hanumangarh.

2. Heard.

3. Learned counsel for the petitioner argues that the investigating agency is not proceeding in a fair and just manner and is intentionally stalling the investigation after registration of FIR.

4. Learned Public Prosecutor appears on service of advance copy of the petition and accepts notice on behalf of the State. He opposes the petition arguing that investigation is underway and law will take its own course.

5. Be that as it may, in my opinion, the petitioner ought to have availed of other available legal remedies for redressal of his grievance before approaching this Court. Ordinarily, in cases of grievances arising from unfair or improper investigation of an FIR, the aggrieved person can seek recourse by approaching a superior police officer as per Section 36 Cr.P.C. If the grievance remains unaddressed, one can then approach a Magistrate of competent jurisdiction under Section 156(3) Cr.P.C., who can seek submission of a report by the police. Reference may also be had to Apex Court judgment in ***Sakiri Vasu versus State of U.P. and Others***[1].

6. In the premise, instant petition is disposed of with liberty to approach the appropriate forum for redressal of grievance, as aforesaid.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA),J

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1 2008 (2) SCC 409