Neutral Citation No. (2026:JHHC:29074)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No. 154 of 2026

Birendra Rai, S/o Basudev Rai, R/o Harihar Kutir, Merha Nirsha-cum-chirkunda, P.O.- Chirkunda, P.S.- Chirkunda, District- Dhanbad ... ... **Petitioner**

Versus

1. The State of Jharkhand
2. The Director General of Police, DPRD Building, Dhurwa, Ranchi
3. The District Arms Magistrate-cum-Deputy Commissioner, Dhanbad
4. The Sr. Superintendent of Police, Dhanbad
5. The Office-in-Charge, Chirkunda, P.O. & P.S.- Chirkunda, District- Dhanbad ... ... **Respondents**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Bikram Kumar Sah, Adv.
For the Respondents : Mr. Yogesh Modi, A.C. to AAG-IA

03/28.09.2026 Heard Mr. Bikram Kumar Sah, learned counsel for the petitioner and learned A.C. to AAG-IA for the respondents.

In this writ application, the petitioner has prayed for a direction upon the respondent no. 5 to register a First Information Report based on the complaint of the petitioner as well as to cancel the Arms License granted to Manager Rai @ Permeshwar Rai.

It appears that the petitioner works in a Dhaba and he has made complaint that he is being regularly threatened by Manager Rai @ Permeshwar Rai who is a holder of the said arms license.

In the context of the prayer made by the writ-petitioner reference is made to the case of "***Sakiri Vasu v. State of U.P. and Ors.***", reported in **(2008) 2 SCC 409**, wherein it has been held as under:

> ***"26.*** *If a person has a grievance that his FIR has not been registered by the police station his first remedy is to approach the Superintendent of Police under Section 154(3) CrPC or other police officer referred to in Section 36 CrPC. If despite approaching the*

Superintendent of Police or the officer referred to in Section 36 his grievance still persists, then he can approach a Magistrate under Section 156(3) CrPC instead of rushing to the High Court by way of a writ petition or a petition under Section 482 CrPC. Moreover, he has a further remedy of filing a criminal complaint under Section 200 CrPC. Why then should writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?

27. *As we have already observed above, the Magistrate has very wide powers to direct registration of an FIR and to ensure a proper investigation and for this purpose he can monitor the investigation to ensure that the investigation is done properly (though he cannot investigate himself). The High Court should discourage the practice of filing a writ petition or petition under Section 482 CrPC simply because a person has a grievance that his FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police. For this grievance, the remedy lies under Sections 36 and 154(3) before the police officers concerned, and if that is of no avail, under Section 156(3) CrPC before the Magistrate or by filing a criminal complaint under Section 200 CrPC and not by filing a writ petition or a petition under Section 482 CrPC.****"***

In view of the remedy available to the petitioner, so far as the non-registration of the First Information Report is concerned, this writ-application stands disposed of with a liberty to the petitioner to approach the competent court and so far as the other prayer of the petitioner with respect to cancellation of the Arms License granted to Manager Rai @ Permeshwar Rai is concerned, the petitioner may seek an alternative remedy available in law.

This writ application stands disposed of.

(Rongon Mukhopadhyay, J.)

Dated, the 28th September, 2026
A. Sanga/-
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