Neutral Citation No. (2026:JHHC:31151)

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(Cr.) No. 272 of 2026

Suman Kumar, son of Murari Praad, resident of Rajmahal Road, Barharwar, P.O. & P.S. Barharwa, District Sahibganj

... Petitioner

Versus

1. The State of Jharkhand
2. The Director General of Police, Jharkhand
3. The Superintendent of Police, Sahibganj
4. The Sub Divisional Police Officer, Rajmahal (Sahibganj)
5. The Office-in-Charge of Rajmahal P.S., Rajmahal
6. Sanjeev Nayan Kumar, son of Bijay Kumar Ambast, resident of Near Sergeat House, Varsha Samachar Police Line Road, Daltonganj, P.O. & P.S. Daltonganj, District Palamau

… Respondents

CORAM**:** HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Gautam Kumar, Advocate
For the State : AC to AAG-IA

Order No. 02 Dated 26th October, 2026

Heard the learned counsel for the respective sides.

The petitioner in this writ application has prayed for a direction upon the respondents No. 2 to 5 to conduct proper investigation in connection with Rajmahal P.S. Case No. 116 of 2024 and submit a charge sheet at the earliest.

In the context of the prayer made in this writ petition by the petitioner, reference may be 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 follows:

> ***"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 alternative remedy available to the petitioner, I am not inclined to entertain this writ application which accordingly stands disposed of with a liberty to the petitioner to avail of the alternative remedy.

(RONGON MUKHOPADHYAY,J.)

26.10.2026
MK