Neutral Citation No. (2026:JHHC:11916)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (Cr.) No. 197 of 2026

Sukhdeo Mahato S/o Umed Mahato, R/o Village & PO Ratabahiyar, PS Gandey, District Giridih … … Petitioner

Versus

1. The State of Jharkhand
2. Superintendent of Police, Giridih
3. Office-In-Charge, Gandey Police Station, Gandey, Giridih

… … Respondents

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Arwind Kumar, Advocate
For the Respondents : Ms. Ruchi Mukti, AC to AAG I-A

2/23.04.2026 Heard Mr. Arwind Kumar, learned counsel for the petitioner and learned AC to AAG I-A for the State.

In this writ application, the petitioner has prayed for a direction upon the concerned respondents to register an FIR on account of the fact that with respect to some land interpolation has been made by the accused in the records which is indicative of a criminal act.

In the backdrop of the aforesaid prayer, reference is made to the case of ***"Sakiri Vasu Vs. State of U.P. & others"*** 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 his first remedy is to approach the Superintendent of Police under Section 154(3) Cr.P.C. or other police officer referred to in Section 36 Cr.P.C. 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) Cr.P.C. instead of rushing to the High Court by way of a writ petition or a petition under Section 482 Cr.P.C. Moreover, he has a further remedy of filing a criminal complaint under Section 200 Cr.P.C. Why then should writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?*
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> **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 Cr.P.C. 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) Cr.P.C. before the Magistrate or by filing a criminal complaint under Section 200 Cr.P.C. and not by filing a writ petition or a petition under Section 482 Cr.P.C."

In view of the alternative remedy available to the petitioner, this writ application stands disposed of.

(Rongon Mukhopadhyay, J)

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