IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No.279 of 2026

Niranjan Topno --- Petitioner

Versus

1. The State of Jharkhand through Chief Secretary, Government of Jharkhand, Ranchi.
2. The Principal Secretary, Department of Home and Disaster Management, Ranchi.
3. The Director General of Police, Ranchi.
4. The Deputy Inspector General of Police, Ranchi.
5. The Superintendent of Police, Khunti.
6. Sri Varun Rajak
7. Sri Sitaram Dangi
8. Johan Sanga
9. Wilson Sanga
10. Turiya Oraon
11. Jaimangal Mungal
12. Sarola Sanga
13. Sushil Sanga --- --- Respondents

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. S.K. Vishwakarma, Adv.
For the State : Mr. Yogesh Modi, AC to AAG-1A

02/28.09.2026 Heard Mr. S.K. Vishwakarma, learned counsel for the petitioner and learned AC to AAG-1A.

In this writ application the petitioner has prayed for a direction upon the respondent no.5 to review the case and arrest the accused persons in connection with Khunti P.S. Case No.41 of 2026.

It appears that earlier the petitioner had moved before this Court for registration of an F.I.R. bearing W.P.(Cr.) No.122 of 2026 which however was disposed of on 24.03.2026 as the grievance of the petitioner had been redressed.

The present case seems to have been filed in order to ensure the proper investigation is carried out in connection with Khunti P.S. Case No.41 of 2026 and the accused persons are arrested.

In the context of the prayer made in this writ application, reference is made to the case of ***"Sakiri Vasu Vs. State of U.P. & others"*** reported in *(2008) 2 SCC 409*, the relevant part of which reads 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.

Pending interlocutory application(s), if any, stands closed.

(Rongon Mukhopadhyay, J.)

Shamim/-
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