Neutral Citation No. (2026:JHHC:31364)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W. P. (Cr.) No. 339 of 2026

Shiv Kumar Rajwar S/o Kanhai Rajwar, resident of Village & PO Yogidih (Uparbandha) PS Sialjori, District Bokaro … … Petitioner

Versus

1. The State of Jharkhand
2. Director General of Police, Jharkhand
3. Deputy Commissioner, Bokaro
4. Superintendent of Police, Bokaro
5. Sub-Divisional Officer-cum-Executive Magistrate, Chas, Bokaro
6. Officer-in-Charge, Sialjori Police Station, PO Yogidih, Chas, Bokaro
7. Samar Rajwar
8. Kajal Rajwar @ Ravi Rajwar
9. Mithun Rajwar
10. Shanu Bala Devi … … Respondents

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Nasim Akhtar &
Ashish Kumar Sinha, Advocate
For the Respondents : Mr. Achyut Keshav, Sr. AAG

2/27.10.2026 Heard Mr. Nasim Akhtar, learned counsel for the petitioner and learned Sr. AAG for the State.

In this writ application, the petitioner has prayed for a direction upon the respondents – authorites to execute warrant of arrest dated 19.11.2025 in M. P. Casse No. 646 of 2024. The petitioner has also prayed for a direction upon the police authorities to register an FIR pursuant to his complaint dated 01.05.2026.

At the outset, it has been submitted by Mr. Akhtar, learned counsel for the petitioner that so far as the execution of warrant is concerned, the same has become infructuous. In the context of the prayer made in the present writ application with respect to registration of FIR, 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?

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 with a liberty to the petitioner to avail of the said remedy.

(Rongon Mukhopadhyay, J)

27th October 2026
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