Neutral Citation No. (2026:JHHC:31399)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No. 382 of 2026

Ashok Kewat, S/o Radheyshyam Kewat, R/o Village-Rajbandh, Palasi, P.O. & P.S.- Shikaripara, District-Dumka ... ... **Petitioner**

Versus

1. The State of Jharkhand through the Secretary, Home, Prison and Disaster Management, Government of Jharkhand
2. The Superintendent of Police, Dumka
3. The Office-in-Charge, Shikaripara Police Station, Dumka

... ... **Respondents**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. S.S. Choudhary, Adv.
For the Respondents : AC to Sr. A.A.G.

02/27.10.2026 Heard Mr. S.S. Choudhary, learned counsel for the petitioner and learned AC to Sr. A.A.G. for the respondents.

In this writ application, the petitioner has prayed for a direction upon the respondents to institute a First Information Report with respect to the missing of his wife namely Basanti Kumari.

In the context of the aforesaid prayer 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 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 aforesaid remedy available to the petitioner, this writ application consequently stands disposed of.

(Rongon Mukhopadhyay, J.)

Dated, the 27th October, 2026
A. Sanga/-
Uploaded on 28 /10/2026