Neutral Citation
2026:JHHC:31758

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Cr.) No. 423 of 2026

Vijay Kumar Jayswal, R/o Vill- Chainpur, P.O.- Chainpur, P.S.- Chainpur, Dist.- Gumla

--- --- Petitioner

Versus

1. The State of Jharkhand through its Principal Secretary/Home Secretary, Home Department, Ranchi.
2. The Director General of Police, Ranchi.
3. The Superintendent of Police, Gumla.
4. The Officer-in-Charge, Chainpur P.S.
5. Smt. Lal Muni Devi, D/o Etwa Lohara, R/o Vill- Simpur, P.O.- Chainpur, P.S.- Chainpur, Dist.- Gumla.

--- --- Respondents

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : None.
For the State : AC to Sr. A.A.G.

02/30.09.2026 None appears on behalf of the petitioner, though learned AC to Sr. A.A.G. is present.

In this writ application, the petitioner has prayed for a direction upon the concerned respondent no. 3 to register a FIR and conduct a timely investigation upon registration of such FIR.

In the context of the prayer made in this writ application, reference is made to the case of ***Sakiri Vasu v. State of U.P. & 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, as noted above, this writ application, accordingly, stands disposed of with a liberty to the petitioner to avail of the said remedy.

(*Rongon Mukhopadhyay, J.*)

Dated- 30th October, 2026.
Preet/-
Uploaded on: 30 / 10/ 2026.