Neutral Citation
2026:JHHC:29240

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Cr.) No. 330 of 2026

Awadhesh Kumar Singh, R/o Vill- Jhalakdiha, P.O.- Tiklato, P.S.- Bengabad, Dist- Giridih.

--- --- Petitioner

Versus

1. State of Jharkhand.
2. Superintendent of Police, Giridih.
3. Circle Officer, Tisri, Giridih.
4. Block Development Officer, Tisri, Giridih.
5. Officer-in-Charge, Tisri P.S., Giridih.

--- --- Respondents

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Arwind Kumar, Adv.
For the State : AC to G.A.-V

02/29.09.2026 Heard Mr. Arwind Kumar, learned counsel for the petitioner and learned AC to G.A.-V.

In this writ application, the petitioner has prayed for a direction upon the concerned respondents to institute a First Information Report and to have an impartial and fair investigation after lodging the First Information Report.

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.****"***

Regard being had to the alternative remedy available to the petitioner, as noted above, this writ application stands disposed of with a liberty to the petitioner to avail of the said remedy.

(*Rongon Mukhopadhyay, J.*)

Dated- 29th September, 2026.
Preet/-
Uploaded on: 30 /09/2026.