

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

WRIT PETITION No.29348 of 2022

ORDER:-

This Writ Petition for mandamus is filed to declare the inaction of the 3rd respondent – Investigating Officer in completing the investigation in Crime No.209 of 2020, as illegal and consequently sought direction to respondent 3 to conduct fair investigation in the said crime.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions, would submit that the investigation in the said case was completed long back and the case was referred as “civil in nature” and the Investigating Officer would file final report in the concerned Court after serving notice on the petitioner, who is the *de facto* complainant in the said crime.

Learned Assistant Government Pleader for Home has also produced the written instructions received by him to that effect from the Sub-Inspector of Police, Darsi Police Station, along with copy of the final report that is sought to be filed in the Court.

Therefore, as the entire investigation in this case is completed, it cannot be said that there is any inaction on the part of the 3rd respondent in completing the investigation as alleged.

Therefore, recording the aforesaid written instructions submitted by learned Assistant Government Pleader for Home, the Writ Petition is closed. However, if the petitioner feels aggrieved by the final report that may be filed in the trial Court, the petitioner is at liberty to file a protest petition against the said final order challenging the legal validity of the same before the concerned Magistrate, on receipt of notice of referring the said case as civil in nature either from the police or from the Court after filing the said final report. No costs.

Miscellaneous petitions, if any pending, in the Writ Petition, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

Date: 13.09.2022
AKN

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

WRIT PETITION No. 29348 of 2022

Date: 13-09-2022

AKN