

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

OWP No. 1468/2018

Date of order:-29.09.2018

S. Attinder Pal Singh

Vs.

State and Anr.

Coram:

Hon'ble Mr. Justice Sanjay Kumar Gupta, Judge

Appearing counsel:

For Petitioner(s) : None.

For respondent (s) : Mr. Ravinder Gupta, AAG.

Oral

1. Through the medium of instant writ petition, petitioner seeks following relief:-

“Writ of Mandamus commanding the respondents to do their legal/public duty by investigating FIR No. 294/2015 dated 13th August, 2015, lodged by the petitioner under Sections 147, 148, 149, 352, 342 & 427 RPC and produce the Challan before a Court of competent jurisdiction.....prayer for.”

2. The factual matrix of the case is that on the application of the complainant, Station House Officer, Police Station, Udhampur registered an FIR bearing No. 294/2015 (Annexure-P) dated 13th August, 2015 against the seven accused. The petitioner/applicant moved an application before the learned Chief Judicial Magistrate, Udhampur on 21st July, 2016, seeking a direction for filing status report, pursuant to which SHO concerned was directed to file status report. However, despite directions issued, the status report has not been filed. The applicant again approached the learned Chief Judicial Magistrate, Udhampur on 04th October, 2017, who directed as follows:-

“Heard and considered. The SHO Police Station Udhampur is directed to furnish the status report of the case within weeks time.”

3. It is stated in the instant writ petition that after registering the aforesaid FIR against the accused, no action has been taken by the concerned SHO despite repeated visits and requests to the Police Station, Udhampur, which is about

8 Km away from the house of the applicant. In view of the aforesaid factual backdrop, petitioner has approached this Court by way of instant writ petition.

4. In view of the facts of the case, I deem it appropriate to dispose of the instant writ petition with a direction to the concerned SHO to investigate the FIR No. 294/2015 dated 13th August, 2015, lodged by the petitioner under Sections 147, 148, 149, 352, 342 & 427 RPC and produce the challan before the competent Court. The same shall be done expeditiously, preferably within a period of one month from the date of receipt of a certified copy of this order.
5. With the above observations, the writ petition is *disposed of*.

Jammu
29.09.2018
Ram Krishan



(Sanjay Kumar Gupta)
Judge