

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (Cr.) No. 129 of 2022

Sunil Kumar

... **Petitioner**

-Versus-

1. The State of Jharkhand
2. The Secretary, Department of Home, Prison and Disaster Management, Government of Jharkhand, Ranchi
3. The Director General of Police, Jharkhand, Ranchi
4. The Superintendent of Police, Garhwa
5. The Officer In-Charge of Meral Police Station, Dist. Garhwa
6. Lal Bihari Prasad
7. Sri Angar Nath Swarnkar
8. Kapil Deo Manjhi

... **Respondents**

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Pankaj Srivastava, Advocate
For the State : Mr. Krishna Prajapati, A.C. to S.C.-V

04/30.06.2023 Heard learned counsel for the parties.

2. This petition has been filed for direction upon the concerned police station to submit final form in connection with online Complaint No.417171, dated 23.02.2022.

3. Learned counsel for the petitioner submits that without any investigation, the case has been closed.

4. Learned counsel for the State submits that the counter affidavit has been filed and in view of online Complaint No.417171, dated 23.02.2022, preliminary enquiry was made and it was found that the case was with regard to certain land being Plot Nos. 877, 879 and 883 and even the petitioner is not related with any of the land in question on the report of the Circle Officer, Meral.

5. If the matter is related with certain land, it is within the jurisdiction of the police to preliminary enquire the matter and, thereafter, register the FIR. This aspect of the matter has also been dealt with by the Hon'ble Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh and others; [(2014) 2 SCC 1]***.

6. In that view of the matter, the Court finds that there is no illegality. Further, if such a situation is there, the petitioner is having alternative remedy.

7. Accordingly, this petition is dismissed.

(Sanjay Kumar Dwivedi, J.)

Ajay/