
(2017) 12 RAJ CK 0025
In the Rajasthan High Court
Case No : 4338 of 2017

Ram Singh S/o Shri Ghasi Singh

APPELLANT

Vs

The State of Rajasthan

RESPONDENT

Date of Decision : 11-12-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 420](#),
[Section 468](#), [Section 471](#), [Section 467](#) - Cheating and dishonestly inducing delivery of property - Forgery for pur

Citation : (2017) 12 RAJ CK 0025

Hon'ble Judges : Sandeep Mehta

Bench : SINGLE BENCH

Advocate : Sushil Solanki, M.S.Panwar

Final Decision : Disposed

Judgement

1. Heard learned counsel the petitioner and the learned P.P.

Perused the material on record.

2. The instant miscellaneous petition has been filed by the

petitioner seeking direction for conducting fair investigation in

F.I.R. No.83/2015 registered at P.S. Badi Sadri, Dist. Chittorgarh. The petitioner filed an F.I.R. No. 83/2015 at the P.S. Badi

Sadri Dist. Chittorgarh against the accused persons named in the

F.I.R. for the offences under Sections 467, 468, 471 and 420

I.P.C. According to the learned counsel for the petitioner, the

police authorities have not taken any action against the accused

and thus appropriate direction be given for fair investigation of the

F.I.R.

3. This Court is of the opinion that in view of the observations made and directions given by the Hon''ble Apex Court in the case of Sakiri Vasu Vs. State of U.P., AIR 2008 SC 907, no person can be encouraged to directly approach this Court for seeking direction of fair investigation. If any person is aggrieved of lack of action by the police as regards the FIR which has been filed by/against him/her, the appropriate course of action for the aggrieved person is to first approach the Magistrate having jurisdiction, who can call for the report from the investigating officer and also instruct the investigating officer to investigate the matter fairly. If the petitioner is aggrieved by any inaction of the police, then he should move to the appropriate Court in accordance with the directions issued by the Apex Court in the aforesaid judgment. The trial court would be empowered to call for the report from the I.O. and issue appropriate direction for fair investigation in consonance with the view expressed by the Hon''ble Apex Court.

4. With the aforesaid observations, the miscellaneous petition and the stay petition are disposed of.