2026:AHC-LKO:81938-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW

CRIMINAL MISC. WRIT PETITION No. - 9613 of 2026

Chandbabu

.....Petitioner(s)

Versus

State Of U.P. Thru. Prin. Secy. Revenue Lko. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Jaikaran, Shrawan Kumar Yadav
Counsel for Respondent(s)	:	G.A.

Court No. - 11

HON'BLE ABDUL MOIN, J.
HON'BLE PRAMOD KUMAR SRIVASTAVA, J.

1. Heard learned counsel for the petitioner and learned A.G.A. appearing on behalf of the State-respondents.

2. The instant writ petition has been filed praying for the following reliefs:

> *(i) To issue a writ order or direction in the nature of Mandamus commanding and directing to the opposite party no. 2 i.e. Superintendent of Police, District-Pratapgarh to take the necessary action upon the application of the petitioner/informant filed before Superintendent of Police, District-Pratapgarh on 11-09-2026 through registered post, which is contained as Annexure No. 1 to this writ petition, in the interest of justice.*
>
> *(ii) To issue a writ order or direction in the nature of Mandamus commanding and directing to the opposite party no. 2 i.e. Superintendent of Police, District-Pratapgarh to take the necessary action against the opposite party no. 3 i.e. Station House Officer, Police Station-Mandhata, District-Pratapgarh for filing the charge sheet in Case Crime No. 47 of 2015, Police Station-Mandhata, District-Pratapgarh, in the interest of justice.*
>
> *(iii) Any other such order or direction which deem fit and proper may kindly be passed in favor of the petitioner.*
>
> *(iv) To allow the writ petition with cost.*

3. Learned counsel for the petitioner submits that initially an F.I.R. dated 28.03.2015 was lodged by the petitioner at Police Station Mandhata, District Pratapgarh, registered as Case Crime No. 0047 of 2015, under Sections 147, 148, 149, 323, 452, 504 and 506 of the I.P.C. against certain named and unnamed individuals. A copy of

the said F.I.R. has been annexed as Annexure No. 2 to the writ petition.

4. The contention of the learned counsel for the petitioner is that despite lodging of the aforesaid F.I.R. more than a decade back, the respondent authorities failed to conclude the investigation or submit any police report before the competent court and it was only through recent inquiries that it transpired that no charge-sheet had been filed before the court concerned, which constrained the petitioner to approach this Court by means of the present petition.

5. Upon filing of the petition, this Court had passed a detailed order on 28.09.2026, which, for the sake of convenience, is reproduced below:

> *"1. Heard Sri Jaikaran, learned counsel for the petitioner and learned AGA.*
>
> *2. Learned counsel for the petitioner submits that the petitioner has lodged the FIR bearing Case Crime No. 0047 of 2015 under Sections 506, 504, 323, 452, 149, 148, 147 IPC, Police Station Mandhata, District Pratapgarh, on 28.03.2015. However, till date, the police report has not been forwarded despite the representation made by the petitioner on 11.09.2026.*
>
> *3. Learned AGA, on the basis of instructions, submits that after investigation into the aforesaid FIR, the charge-sheet was forwarded on 24.04.2015, but certain objections were raised. Thereafter, upon further investigation, the charge-sheet was forwarded on 10.06.2023, but subsequently, the case diary was misplaced. Therefore, an inquiry was set up on 25.09.2026.*
>
> *4. In view of the above, it is apparent that the inquiry had been set up only after the notice of the present petition was given to the Government Advocate on 22.09.2026. It is very surprising that in an FIR of the year 2015, till date, the police report has not been filed and the Station House Officer concerned is also sleeping over the matter and has not taken any action.*
>
> *5. In view of the above, the Superintendent of Police, Pratapgarh is directed to make an inquiry into the matter himself and file personal affidavit along with the inquiry report on the next date.*
>
> *6. List this case on 14.10.2026.*
>
> *7. In case the affidavit is not filed by the concerned Superintendent of Police, he shall appear before this Court along with the complete record on the next date."*

6. In pursuance thereof, when the matter was taken up on 14.10.2026, a personal affidavit of the Superintendent of Police, Pratapgarh was filed and considering the circumstances, this Court passed another detailed order on 14.10.2026, which is also reproduced below for ready reference:

> *"1. Learned AGA filed personal affidavit of the Superintendent of Police concerned, which is taken on record. He, on the basis of the contents of the affidavit, submits that the charge sheet was misplaced, therefore, it could not be filed. However, the charge sheet has been traced and filed in the court on 06.10.2026. He also submits that the enquiry was set up in regard to the dereliction in duties against Head Constable Vishnu Kant Singh and a show cause notice has been issued on 09.10.2026 by the Superintendent of Police, Pratapgarh and the said enquiry shall be taken to it's logical end expeditiously.*
>
> *2. In view of above, the Superintendent of Police, District Pratapgarh is directed to show the cause as to why exemplary cost may not be imposed and the same may be directed to be paid to the petitioner as he is waiting for justice for the last 10 years and the charge sheet was prepared after about 5 years of lodging of the F.I.R. and for the last 6 years, nobody in the district cared to see as to whether the same has been filed in the court or not.*
>
> *3. Learned AGA seeks three weeks time to file the affidavit of the respondent no. 2.*
>
> *4. List on 16.11.2026.*
>
> *5. In case the affidavit is not filed by the next date, the Officer concerned shall appear in person."*

7. Today, learned A.G.A. has filed a personal affidavit of the Superintendent of Police, Pratapgarh, which is taken on record.

8. Learned A.G.A., on the basis of averments contained in paragraph 6 of the personal affidavit, states that subsequent to the charge-sheet having been traced out, the same was submitted before the concerned court on 06.10.2026 and the court concerned has taken cognizance in the matter on 14.10.2026.

9. However, so far as the response to the show-cause notice issued by this Court regarding imposition of exemplary costs is concerned, the Superintendent of Police, Pratapgarh has merely tendered an unconditional apology stating that the delay occurred due to the case diary and papers having been misplaced by the staff.

10. A perusal of the record reflects an alarming state of affairs. The First Information Report in the present matter was lodged as far back as 28.03.2015. For more than a

decade, the said F.I.R. was never taken to its logical conclusion. Strikingly, it was only after the petitioner approached this Court by filing the present writ petition and serving a copy upon the learned Government Advocate on 22.09.2026 that the authorities abruptly woke up from their slumber and instituted an inquiry on 25.09.2026 regarding the misplaced charge-sheet. The charge-sheet, which had purportedly been prepared years ago, was finally submitted before the court concerned only on 06.10.2026. It is therefore apparent that the entire machinery went into motion only under the compelling gaze of this Court.

11. A litigant who knocks on the doors of the justice delivery system cannot be made to suffer indefinitely on account of bureaucratic lethargy and sheer indifference of the police authorities. The manner in which the matter has been handled indicates gross dereliction of duty. Senior police officials are expected to actively supervise investigations and monitor criminal proceedings pending within their jurisdiction rather than waking up only when notices and orders are issued by this Court. The show-cause notice issued by this Court has also been met with a casual explanation.

12. Considering the aforesaid and the fact that a period of more than ten years has elapsed before the authorities decided to perform the statutory duties cast upon them under law, this Court is of the considered view that the petitioner is entitled to be compensated. Accordingly, an exemplary token cost of Rs. 25,000/- (Rupees Twenty-Five Thousand only) is imposed, which shall be paid to the petitioner in the first instance by the State Government within a period of four weeks from the date of receipt of a certified copy of this order.

13. It is, however, left open to the State Government to recover the said amount of cost from the erring police officials who are found responsible for this egregious delay and dereliction of duty.

14. With the aforesaid observations and directions, the writ petition stands **disposed of.**

November 16, 2026
Haseenuddin

(Pramod Kumar Srivastava,J.) (Abdul Moin,J.)

Digitally signed by :-
HASEENUDDIN
High Court of Judicature at Allahabad,
Lucknow Bench