

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P(Cr.) No. 64 of 2019

1. Jai Malto @ Jaynarayan Malto
2. Swami Agnivesh Petitioner(s).

Versus

1. The State of Jharkhand
2. Director General of Police, Jharkhand.
3. Shiv Shankar Tiwari
4. Central Bureau of Investigation, New Delhi. ... Respondent(s)

CORAM : HON'BLE MR. JUSTICE ANANDA SEN.
Through: Video Conferencing

For the Petitioner(s) : Mr. Md. Shadab Ansari, Advocate.
For the State : Mr. Pankaj Kr. Choudhary, AC to SC (L&C)-II.
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04/18.02.2021: In this petition, the petitioners have prayed for transfer of the investigation of Pakur (Town) P.S. Case No. 142 of 2018 to an independent central agency. Further prayer has been made to ensure the protection of life and limb of petitioner No. 2. They have also prayed for other ancillary prayers.

Counsel for the petitioners submits that so far as prayer no. (b) is concerned, the same has become infructuous with the death of petitioner No. 2.

He further submits that investigation of this case has not been done in proper manner and not by the authority who is supposed to investigate this case. Thus he prays for re-investigation of this case.

In this case, FIR was lodged by petitioner No. 1 praying therein that he along with petitioner No. 2 was assaulted by several persons and they were abused in the name of their caste. The police has investigated the occurrence and thereafter filed chargesheet and now the case is at the stage of evidence, which is apparent from the report dated 12.2.2021, sent by the CJM, Pakur.

If the investigation has not been done in proper manner and the informant is aggrieved by the said investigation, the informant should have protested the same at the time of filing of chargesheet. The petitioner has rushed to this Court by filing this criminal writ petition.

Considering the fact that there is remedy available to the petitioner as the case is pending for leading evidences, I am not inclined to entertain this petition. Accordingly, this petition is **dismissed**.