



IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE G. S. AHLUWALIA

ON THE 22nd OF APRIL, 2025

MISC. CRIMINAL CASE No. 55201 of 2024

NITIN AGRAWAL

Versus

THE STATE OF MADHYA PRADESH SHREEMAN POLICE
ADHIKSHAK AND OTHERS

Appearance:

Shri Lokendra Sharivastava, Advocate for applicant.

Shri Mohit Shivhare – Public Prosecutor for respondents/State.

ORDER

This application under Section 528 of BNS has been filed seeking the following reliefs:-

“अतएव माननीय न्यायालय से विनम्र प्रार्थना है कि आवेदक की ओर से प्रस्तुत आवेदन पत्र अन्तर्गत धारा 528 बी.एन.एस.एस. स्वीकार कर, पुलिस थाना सिटी कोतवाली मुरैना में पंजीवद्ध प्रथम सूचना रिपोर्ट अपराध क्रमांक 661/2022 अन्तर्गत धारा 420, 406 भादवि एवं इजाफा धारा 409 भादवि का Fair investigation कर, अंतिम प्रतिवेदन सक्षम न्यायालय के समक्ष प्रस्तुत किये जाने हेतु आदेश पारित करने की कृपा करें।”



2. It is submitted by counsel for applicant that police has registered offence in Crime Number 661 of 2022 on 27.06.2022 for offences under Sections 420, 406 and 409 of IPC. In spite of the fact that more than two and a half years have passed, Police has failed to conclude the investigation and, accordingly, it is prayed that the Police be directed to file final report.

3. Heard learned counsel for the applicant.

4. Section 173(1) of the CrPC reads as under:

“173. Report of police officer on completion of investigation.— (1) Every investigation under this Chapter shall be completed without unnecessary delay.”

5. Therefore, it is the mandate of law that investigation should be completed without any unnecessary delay. More than two and a half years have passed, but it appears that the Police is unnecessarily keeping the investigation pending without any substantive progress.

6. Accordingly, in the light of the provision of Section 173(1) of Cr.P.C, Police is directed to immediately complete the investigation and file final report.

7. With aforesaid observations, application is finally disposed of.

(G. S. AHLUWALIA)
JUDGE

(and)