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WP-49510-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE B. P. SHARMA

ON THE 8th OF APRIL, 2026WRIT PETITION No. 49510 of 2025*VIRENDRA KUMAR PANDEY**Versus**THE STATE OF MADHYA PRADESH AND OTHERS*

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Appearance:

Shri Aseem Trivedi - Advocate for the petitioner.

Shri A.S. Baghel - Government Advocate for the State.

Shri Sushil Kumar Tiwari - Advocate for the respondents No.6 to 10.

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ORDER

The present writ petition under Article 226 of the Constitution of India has been instituted by the petitioner seeking judicial intervention against the arbitrary, perfunctory, and mechanical action of the police authorities in registering FIR No.487/2025 at Police Station Omti, District Jabalpur, in patent disregard of the directions issued by the competent court under Section 156(3) of the Cr.P.C. The grievance of the petitioner is not directed merely against the factum of registration of the FIR, but more significantly against the manner in which it has been recorded. The FIR, as it stands, is vague, sketchy and materially incomplete and appears to have been consciously drafted in a manner that dilutes the substance of the allegations, thereby frustrating the very object of a fair, impartial and effective investigation into serious allegations of forgery.



2. The facts, as borne out from the record, indicate that the petitioner, an employee serving in the District Court at Jabalpur, was made a victim of a well-orchestrated and deliberate conspiracy allegedly hatched by the private respondents, who are closely related to him. In pursuance of the said conspiracy, it is alleged that judicial records were fabricated and manipulated with the ulterior object of securing an ex-parte acquittal in Criminal Revision No.523/2019. On discovering the aforesaid acts of forgery and manipulation of court records, the petitioner approached the Registrar General of the High Court, which led to the institution of a preliminary inquiry. The said inquiry was conducted by the District Judge (IV), Jabalpur, and culminated in a report dated 13.09.2023 (*Annexure P/2*), wherein *prima facie* material was found to exist indicating the involvement of the accused persons in the alleged acts of forgery. Acting upon the said findings, the Principal District & Sessions Judge, Jabalpur, vide communication dated 22.09.2023, accorded permission to the petitioner to initiate appropriate criminal proceedings in accordance with law.

3. Despite submitting repeated representations and requests to the concerned police authorities, no First Information Report was registered, leaving the petitioner with no efficacious alternative but to invoke the jurisdiction of the learned JMFC, Jabalpur, under Section 156(3) of the Cr.P.C. Upon due consideration, the learned Magistrate, by a reasoned order dated 12.07.2025 (*Annexure P/4*), directed the Station House Officer, Police Station Omti, to register an FIR by duly incorporating the material particulars and findings emerging from the preliminary inquiry and thereafter



to proceed strictly in accordance with law.

4. The aforesaid order was duly received by the police authorities on 13.08.2025; however, the same was not acted upon within a reasonable time and remained uncomplied with for a considerable period, without any lawful justification. It was only on 24.09.2025 and notably in close proximity to the initiation of contempt proceedings by the petitioner, that an FIR bearing No.487/2025 (*Annexure P/5*) was eventually registered. However, the manner in which the said FIR was recorded renders the compliance merely illusory. The FIR is patently deficient, bereft of essential and material particulars and does not faithfully reflect the substance of the allegations or the findings recorded in the preliminary inquiry. It fails to clearly disclose the commission of cognizable offences in definite terms, thereby undermining the very object and intent of the Magistrate's direction, and frustrating the initiation of a fair, meaningful and effective investigation. The FIR, rather than faithfully capturing the substance of the allegations and the material findings recorded in the preliminary inquiry, is confined to a bare recital of procedural background. It conspicuously omits crucial and germane facts, and further contains inaccurate and vague particulars, including the addresses of the accused persons. Such deficiencies go to the root of the matter and have the effect of vitiating the very foundation of the investigation, rendering it ineffective and illusory from its very inception. The subsequent conduct of the police authorities further manifests a patent lack of bona fides and due diligence. No sincere or meaningful investigation appears to have been undertaken in compliance with the mandate of law. Significantly, even the



statement of the petitioner has not been recorded under Section 161 of Cr.P.C., which is a basic and indispensable step in the investigative process. Moreover, the defective and diluted nature of the FIR has enabled the accused persons to obtain anticipatory bail, thereby frustrating the course of a fair, impartial, and effective investigation and undermining the administration of criminal justice.

5. Learned counsel for the petitioner submits that the impugned FIR (*Annexure P/5*) is a mere sham and has been registered in a wholly perfunctory and mechanical manner, with the sole intent of creating a facade of compliance with the order passed under Section 156(3) of the Cr.P.C. It is contended that the statutory mandate, as well as the specific directions issued by the learned Magistrate, obligated the police authorities to register an FIR that truly and faithfully reflected the substance of the complaint and the findings recorded in the preliminary inquiry. However, in blatant disregard, the police authorities have consciously diluted and distorted the contents of the FIR so as to avoid disclosing the commission of cognizable offences against the accused persons. It is further submitted that such conduct is neither inadvertent nor a mere irregularity, but a deliberate exercise undertaken with oblique motives. By omitting material particulars and incorporating vague and incorrect details, the police authorities have effectively rendered the FIR toothless, thereby stultifying the very process of investigation at the threshold. This, it is urged, strikes at the root of the rule of law and the fair administration of criminal justice, inasmuch as it results in shielding the accused persons from due process and frustrates the petitioner's



legitimate right to a fair, impartial and effective investigation.

6. It is further submitted that the FIR (*Annexure P/5*) has been recorded in undue haste and in a routine, mechanical manner, without any proper application of mind and in clear breach of the settled principles governing the registration of First Information Reports. The intentional inclusion of incorrect addresses of the accused persons, along with the omission of essential and material particulars, *prima facie* indicates malafide intent on the part of the concerned police officer, aimed at derailing the investigation and affording unwarranted benefit to the accused persons. It is further contended that such disregard of the judicial directions issued under Section 156(3) of the Cr.P.C. strikes at the very core of the rule of law and undermines the authority of the Court. An FIR which does not clearly disclose the commission of a cognizable offence is legally unsustainable. Accordingly, it is urged that the impugned FIR is liable to be set aside, with a direction to the concerned authorities to undertake a fresh registration in strict adherence to the mandate of the learned Magistrate and to ensure a fair, impartial and effective investigation in accordance with law.

7. The respondents submit that the FIR (*Annexure P/5*) has been duly registered in compliance with the order under Section 156(3) Cr.P.C. and at this stage, the law only requires disclosure of a *prima facie* cognizable offence. An FIR is not expected to be exhaustive or to contain all details of the complaint or the inquiry report. It is further contended that any alleged omissions, inaccuracies or lack of particulars do not vitiate the FIR or the investigation, as these aspects can be addressed during the course of



investigation. The investigating agency is competent to collect evidence, record statements, and bring all relevant facts on record subsequently. It is further argued that there is no mala fide intention, and any errors in particulars, such as addresses, are inadvertent and curable. The petitioner, in effect, seeks to treat the FIR as a detailed charge-sheet, which is impermissible. It is also argued that there has been substantial compliance with the Magistrate's order and the writ petition is premature and not maintainable, particularly when alternative remedies are available before the Magistrate for monitoring the investigation. Prays for dismissal of the petition.

8. Having heard learned counsel for the parties and upon a careful perusal of the material available on record, this Court is of the considered view that the controversy involved is not confined merely to the factum of registration of an FIR, but extends to the question as to whether such registration constitutes a genuine and faithful compliance with the judicial mandate issued under Section 156(3) of the Cr.P.C. The record reveals that the learned Magistrate vide order *Annexure P/4*, had specifically directed the registration of an FIR incorporating the material particulars and findings emerging from the preliminary inquiry, which had already disclosed *prima facie* involvement of the accused persons in the alleged acts of forgery. However, the FIR (*Annexure P/5*) as registered falls short of the said mandate. It is noticeably deficient, as it neither reflects the substance of the allegations contained in the complaint nor incorporates the material findings recorded in the inquiry report. Furthermore, it remains silent on the essential



ingredients of the alleged offences, thereby raising serious concerns regarding the adequacy and authenticity of compliance with the order of the learned Magistrate.

9. The manner in which the FIR (*Annexure P/5*) has been recorded reflects a clear lack of due application of mind and gives rise to a reasonable inference that it has been registered merely as a formality, with a view to avoid the consequences of non-compliance with the judicial directions. The omission of material and relevant facts, coupled with the incorporation of incorrect particulars, particularly in respect of the addresses of the accused persons, cannot be treated as a minor or curable irregularity. On the contrary, such deficiencies strike at the very root of the matter and substantially impair the efficacy of the FIR as a foundation for a fair and meaningful investigation. Such an approach not only frustrates the object underlying Section 154 of the Cr.P.C., which mandates proper recording of information relating to cognizable offences, but also undermines the sanctity and binding nature of the judicial order passed under Section 156(3) of the Cr.P.C., thereby eroding the discipline expected in the administration of criminal justice.

10. The purported compliance, in the facts and circumstances of the present case, is merely illusory and does not satisfy the mandate of the order passed by the learned Magistrate. What has been undertaken by the police authorities appears to be a superficial and formal exercise, lacking in substance and fidelity to the directions issued. It is well settled that compliance with a judicial order must be real, effective and meaningful,



reflecting a genuine application of mind and adherence to both the letter and spirit of the direction. A mere mechanical or cosmetic exercise, undertaken only to create a semblance of compliance on record, cannot be recognized as lawful compliance. Such an approach not only defeats the purpose of the judicial order but also undermines the authority of the Court and the integrity of the legal process.

11. This Court is of the considered opinion that compliance with a judicial direction cannot be reduced to a mere ritual or empty formality. Once a direction is issued by a competent Magistrate, the police authorities are under a legal obligation to act not only in letter but also in the true spirit of such order. Any departure therefrom, particularly where it results in dilution or suppression of the substance of the allegations, cannot be approved in law. In the present case, the FIR, as registered, is cryptic, materially incomplete, and appears to have been recorded in undue haste without due application of mind. It fails to clearly disclose the commission of any cognizable offence and does not reflect the substance of the complaint or the findings of the preliminary inquiry. In such circumstances, the FIR cannot be said to constitute a valid or meaningful compliance with the judicial mandate and, therefore, cannot be sustained in the eyes of law.

12. In view of the foregoing discussion and analysis, this Court is of the considered opinion that the present petition deserves to be allowed and is accordingly **allowed**.

13. Consequently, FIR No.487/2025 registered at Police Station Omti, District Jabalpur, is hereby quashed and set aside. The Station House



Officer, Police Station Omti, Jabalpur is directed to register a fresh FIR in strict and faithful compliance with the order (*Annexure P/4*) passed by the learned Magistrate under Section 156(3) of the Cr.P.C. The fresh FIR shall duly incorporate all material facts, relevant particulars and the findings emerging from the preliminary inquiry, so as to ensure that the allegations are properly reflected and a fair, impartial and effective investigation is undertaken in accordance with law. The concerned police authorities are further directed to ensure scrupulous adherence to the judicial mandate and to proceed with the investigation with due diligence, fairness and objectivity without being influenced by any observations made in this order except to the extent of ensuring compliance.

14. The petitioner shall be at liberty to avail appropriate remedies in case of any further grievance regarding the investigation.

Certified copy as per rules.

(B. P. SHARMA)
JUDGE

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