

Analysis on the Provisions of F.I.R U/S. 154 of Cr.P.C with Special Reference to Lalita Kumari V. State of Up Air 2012 Sc 1515

Shivam Bhushan Solate

LL.M (Constitutional Law) IInd Yr. 4th Semester
School of Law, Sandip University, Nashik, India

Abstract: *A writ petition of Habeas Corpus was filed under The Indian Constitution, 1950 Article 32 by Lalita Kumari (minor) through her father, since no report or an FIR was registered by the police on being informed of commission of a cognizable offence, which in this case was kidnapping. A question was raised in the court whether registering a report or an FIR is mandatory under the Section 154 of the Code of Criminal Procedure. After being referred to a Constitutional Bench, the court on hearing various arguments from both, the petitioner and respondents, concluded that it is mandatory to register an FIR, if the reported information is commission of a cognizable offence. The Court further, provided with several guidelines regarding the registration of an FIR.*

Keywords: Criminal Procedure Code, Constitution, AIR, First Information Report.

REFERENCES

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- [2] *Lalita Kumari v. Govt. of U.P.* (2008) 14 SCC 337
- [3] *Lalita Kumari v. Govt. of U.P.* (2012) 4 SCC 1 ¶ 97-100
- [4] (2014) 2 SCC 1
- [5] *Ibid* at 3
- [6] Anita S. Krishnakumar, 'Textualism And Statutory Stare Decisis' (2016) 104 accessed 2 June 2020.
- [7] *Ibid*
- [8] *State of Haryana v. Bhajan Lal* 1992 Supp. (1) SCC 335
- [9] *Ibid* ¶ 30
- [10] *Lalita Kumari* (2012) 4 SCC 1 ¶ 39
- [11] *Mohan Singh v. International Airport Authority of India* (1997) 9 SCC 132
- [12] *State of UP. v. Babu Ram Upadhya*, AIR 1961 SC 751.
- [13] *Khub Chand v. the State of Rajasthan* AIR 1967 SC 1074 ¶ 46
- [14] *Harbhajan Singh v. Press Council of India* AIR 2002 SC 1351 at 1354.
- [15] *Commissioner of Income Tax v. National Taj Traders* AIR 1980 SC 485 ¶ 10
- [16] *State of Karnataka v. Hansa Corporation* (1980) 4 SCC 697
- [17] *See Supra* Note 37 ¶ 16.
- [18] *Ibid*