

and 117 of Mumbai Police Act. Hence, it is alleged that his human rights have been violated.

As such report from the Supdt. Of Police, Latur is called for and the matter is posted for hearing today. Smt. Lata P. Phad, Additional S.P., Smt. M. M. Maske, PSI are present. Complainant in spite of notice is not present. Supdt. Of Police has filed a report.

On going through the same, the fact that police did not register the complaint of theft of mobile is not in dispute. And, on the other hand, he was asked to go to another police station at Ahmedpur. This is in violation of mandatory provisions u/s 154 and 155 of Cr.P.C. Added to that, possibly because of non-registration of case, he might have argued with the police officials and instead of pacifying him, it appears a case is registered against him and after warning he has been let off.

Since non-compliance with the mandatory requirements – registration of a complaint either under 154 or 155 amounts to denial of human rights – the Commission deems it proper to make following recommendation.

- a) The State shall instruct all the police officials the importance of registration of a complaint either under section 154 of 155 of Cr.P.C. as the offence is disclosed in the complaint.**
- b) The Home Department shall bring first, irrespective of jurisdictional issues, instead of sending complainant to other Police Stations, as held by Hon'ble Supreme Court in various decisions.**
- c) Since the human rights of the complainant are violated, the State shall pay the compensation of Rs. 5000/- to the complainant within four weeks from the date of receipt of this order and submit a compliance report within two weeks thereof to the Commission.**

**(Justice S.R. Bannurmath)
Chairperson**