

Sukhwinder Singh v. State.

13.07.2026

Present:- Sh. Dheeraj Bali, Advocate for applicant/complainant.
Sh. Ravi Kumar, Ld. APP for State/State.

Heard. Applicant/complainant has moved present application seeking updation of case status in e-courts record. It is averred on behalf of applicant that the present matter has arisen out of FIR No.88 of 2022, P.S. Dharamshala. Police has submitted its report before the Court and thereupon Court has taken cognizance against accused for commission of offence punishable under Section 427 of the IPC vide order dated 09.05.2024. It is further averred in the application that vide order dated 09.05.2024 passed by this Court, police report was ordered to be treated as challan/final report whereas in the e-courts CIS, the same is classified as '*Calandra/1/2023*'. In above said background, applicant has sought updation of CIS report record to the effect that the case be reflected as police challan/final report instead of *calandra*.

In reply, it is submitted that initially FIR was registered under Section 447 and 427 of the IPC and after completion of investigation complaint for commission of offence punishable under Section 427 of the IPC was filed under Section 2(d) of the Cr.P.C. Hence, information reflected in e-courts system is correct as per law. With this version, it is prayed that present application may be dismissed being devoid of merits.

I have heard ld. counsel appearing for the parties and gone through contents of application as well as reply and main case file in detail.

Perusal of record reveals that an FIR vide No.88/2022 under Sections 447 and 427 of the IPC was registered at P.S. Dharamshala on the basis of a complaint moved by applicant. After completion of investigation, finding that a non cognizable case under Section 427 IPC is only made out and no offence

under Section 447 IPC is made out, complaint under Section 2(d) of the Cr.P.C. was filed by SHO P.S. Dharamshala. Section 2(d) of the Cr.P.C. reads as under:-

“2(d). Complaint means any allegation made orally or in writing to a Magistrate, with a view to his taking action under this Code, that some person, whether known or unknown, has committed an offence, but does not include a police report.

Explanation- A report made by a police officer in a case which discloses, after investigation, the commission of a non-cognizable offence shall be deemed to be a complaint, and the police officer by whom such report is made shall be deemed to be the complainant.”

By virtue of above provision, a report made by a Police Officer in a case which discloses, after investigation, commission of a non cognizable offence, shall be deemed to be a complaint and the Police Officer filing such report shall be deemed to be complainant. Since, in the present case a non cognizable case was found to have been committed during course of investigation, a complaint under Section 2(d) Cr.P.C. has been filed by concerned Police Officer and as such the same is rightly entered as complaint/*calandra* in the e-courts Case Information System (CIS) and no updation/correction is required to be carried out in this regard. Accordingly, present application is hereby ordered to be dismissed. It after due completion be tagged with main case file.

Announced:
13.07.2026

(Dr. Hakikat Dhanda)
Chief Judicial Magistrate,
Kangra at Dharamshala