

IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE HIMANSHU JOSHI

ON THE 11<sup>th</sup> OF MARCH, 2026

WRIT PETITION No. 6020 of 2026

*DAYASHANKAR PANDEY*

*Versus*

*HIS EXCELLENCY THE PRESIDENT OF INDIA AND OTHERS*

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Appearance:

Petitioner Dayashankar Pandey appears in person.

Shri Vivek Sharma - Deputy Advocate General with Ms. Priyanka Mishra - Govt. Advocate for the respondent/State.

Shri Manoj Sharma - Senior Advocate with Ms. Lavanya Verma - Advocate for respondent no.2.  
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ORDER

Heard on I.A. No.4509/2026 as well as I.A. No.4510/2026 applications for adding and deleting the parties.

On due consideration, both the I.As are allowed.

Counsel appeared on behalf of respondent No.2 i.e. Maruti Suzuki India Limited though without issuing summons is permitted to argue the case.

Also heard on I.A. No.3983/2026 an application for filing amended petition alongwith documents.

On due consideration, the said I.A. is also allowed.

Now, heard on the question of admission.

2. The petitioner, appearing in person, has filed the present petition under Article 226 of Constitution of India seeking multiple reliefs including directions to the respondent police authorities to conduct an impartial investigation, consideration of his representations by various authorities, recovery of an alleged amount of more than Rs.200 crore from respondent No.2 – Maruti Suzuki India Limited., and payment of compensation to the petitioner as well as to the Government of India and the Government of Madhya Pradesh.

3. The petitioner has alleged that he has exposed embezzlement and theft of more than Rs.200 crore in the firm of respondent No.2, which according to him is involved in worldwide business of manufacturing and selling cars. It is further alleged that because of such exposure, the petitioner and his family members have been subjected to threats and physical attacks on several occasions. The petitioner submits that he has submitted complaints to various authorities including the President of India and other Central and State Government authorities, but no action has been taken against the alleged attackers. He further contends that recently he, his wife and his daughter were attacked by a car, which allegedly resulted in miscarriage of his wife. He further submitted that in the pre-planned incident of a fire attack on the car of the petitioner which occurred earlier, the elder daughter of the petitioner sustained severe injuries. As a consequence of the said attack and the injuries suffered therein, she has unfortunately been rendered disabled. The incident has caused immense physical, emotional, and financial hardship to the family, and the effects of the same continue to persist. According to

the petitioner, despite filing complaints, the police authorities have not taken any action and instead have been harassing him by issuing notices. The petitioner has further prayed for compensation of Rs.82,00,000/- for medical treatment of his daughter and for alleged defamation, and has also sought recovery of more than Rs. 200 crore allegedly embezzled by respondent No.2.

4. Learned counsel for the State as well as respondent No. 2 opposed the petition and submitted that the petition is vague, misconceived and based on imaginary allegations. It is submitted that the petitioner has not placed on record any written complaint alleged to have been submitted before the police authorities. It is further submitted that even the conduct of the petitioner before the Court on the previous date was objectionable, inasmuch as he placed a fetus in front of Court dais. It is contended that the allegations made in the petition are baseless and without any supporting material. Learned counsels further submit that if the petitioner is aggrieved by any inaction on the part of the police authorities, he has an efficacious statutory remedy of approaching the competent Magistrate under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further submitted that the petitioner is a highly litigious person and has repeatedly approached this Court by filing multiple petitions arising out of the same incident and seeking substantially the same relief. In the earlier proceedings, this Court disposed of the matter with a direction to the petitioner to avail the appropriate remedy available under law. However, instead of complying with and pursuing the remedy, as directed by this Court, the petitioner has

once again chosen to file the present fresh petition on the same cause of action. Such conduct amounts to an abuse of the process of law and unnecessary consumption of the valuable time of this Court. Therefore, it is most humbly prayed that the present petition deserves to be dismissed and appropriate costs may also be imposed upon the petitioner to discourage such repetitive and vexatious litigation.

5. Having heard the petitioner in person and learned counsel for the State, and on perusal of the record, this Court finds that the petition is completely vague and bereft of any material particulars. The petitioner has levelled serious allegations involving commission of offences, large-scale embezzlement and attacks upon his family members; however, no supporting documents or material have been placed on record to substantiate the same. Even the alleged complaints said to have been made before the police authorities have not been filed along with the petition. The manner in which sweeping allegations have been made against various authorities and a private company, without any cogent material, clearly indicates that the petition lacks bona fides. The extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked on the basis of vague and unsubstantiated allegations.

6. It is pertinent to note that the petitioner had earlier approached this Court by filing W.P. No. 33318/2025 and W.P. No.5067/2026 in relation to the very same incident. Both the aforesaid petitions were subsequently withdrawn by the petitioner with liberty to avail the appropriate remedy before the competent forum. It is further noteworthy that prior to filing the

amended petition, the petitioner had sought relief in the nature of euthanasia; however, the petitioner has now altered his stand and is presently seeking compensation and damages for himself. Such shifting stands and repeated invocation of the writ jurisdiction of this Court, without placing any cogent supporting evidence or material on record, clearly indicates that the petitioner is indulging in vexatious and speculative litigation. The conduct of the petitioner thus reflects that he is a litigious person attempting to repeatedly agitate the same issue before this Court without pursuing the remedies as earlier directed.

7. It is well settled that where a person is aggrieved by inaction on the part of the police authorities in registering or investigating a complaint, an efficacious remedy is available before the jurisdictional Magistrate under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023. In the present case, the petitioner has not availed the aforesaid statutory remedy.

8. In the case of *Sakiri Vasu v. State of U.P.*, {(2008) 2 SCC 409}, the Hon'ble Supreme Court has held as under :

"25. We have elaborated on the above matter because we often find that when someone has a grievance that his FIR has not been registered at the police station and/or a proper investigation is not being done by the police, he rushes to the High Court to file a writ petition or a petition under Section 482 CrPC. We are of the opinion that the High Court should not encourage this practice and should ordinarily refuse to interfere in such matters and relegate the petitioner to his alternating remedy, first under Section 154(3) and Section 36 CrPC before the police officers concerned, and if that is of no avail, by approaching the Magistrate concerned under Section 156(3).

26. If a person has a grievance that his FIR has not been registered by the police station his first remedy is to approach the Superintendent of Police under Section 154(3) CrPC or other police officer referred to in Section 36 CrPC. If despite

approaching the Superintendent of Police or the officer referred to in Section 36 his grievance still persists, then he can approach a Magistrate under Section 156(3) CrPC instead of rushing to the High Court by way of a writ petition or a petition under Section 482 CrPC. Moreover, he has a further remedy of filing a criminal complaint under Section 200 CrPC. Why then should writ petitions or Section 482 petitions be entertained when there are so many alternative remedies?

27. As we have already observed above, the Magistrate has very wide powers to direct registration of an FIR and to ensure a proper investigation and for this purpose he can monitor the investigation to ensure that the investigation is done properly (though he cannot investigate himself). The High Court should discourage the practice of filing a writ petition or petition under Section 482 CrPC simply because a person has a grievance that his FIR has not been registered by the police, or after being registered, proper investigation has not been done by the police. For this grievance, the remedy lies under Sections 36 and 154(3) before the police officers concerned, and if that is of no avail, under Section 156(3) CrPC before the Magistrate or by filing a criminal complaint under Section 200 CrPC and not by filing a writ petition or a petition under Section 482 CrPC.

28. It is true that alternative remedy is not an absolute bar to a writ petition, but it is equally well settled that if there is an alternative remedy the High Court should not ordinarily interfere."

9. In view of the above, this Court is of the considered opinion that the present petition is misconceived, unsupported by material particulars and appears to be a bogus petition. The same, therefore, does not deserve to be entertained in exercise of writ jurisdiction.

10. Accordingly, the petition is **dismissed**. However, it is observed that if the petitioner is aggrieved by any inaction or action on the part of the police authorities, it shall be open for him to avail appropriate remedy before the concerned jurisdictional Magistrate in accordance with law, including by invoking the remedy available under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

11. This Court also deems it appropriate to take note of the conduct of the petitioner on the previous date of hearing i.e. 09.03.2026. The petitioner had placed a fetus in front of the Court dais during the proceedings apparently with a view to evoke sympathy of the Court. Such an act is highly objectionable, improper and amounts to lowering the dignity and decorum of the Court. Court proceedings cannot be converted into a platform for emotional display or for attempting to secure undue sympathy. While this Court expresses its sympathy for any personal loss or grief that the petitioner and his family may have suffered, it is equally necessary to emphasize that the Court functions on the basis of law and evidence. The Court is the same for every litigant and the grief or suffering of one party cannot be weighed against that of another to influence the judicial process. Justice is administered strictly in accordance with law and on the basis of legally admissible material placed on record, and not on emotional considerations or theatrical conduct in the Courtroom.

12. Bringing a miscarried fetus into the Courtroom by a private individual is wholly improper and contrary to law. A fetus, being human anatomical material, is required to be handled and disposed of strictly in accordance with the provisions of the Biomedical Waste Management Rules, 2016. Unauthorized carrying and display of such remains in a public place like a Courtroom not only violates the prescribed procedure but also *prima facie* amounts to offering indignity to a human corpse punishable under the Bhartiya Nyaya Sanhita, 2023. Such conduct is also capable of disturbing the decorum and dignity of the Court.

13. This Court further cautions the petitioner that such conduct must not be

repeated in future before this Court or before any other judicial forum or public authority. Any attempt to disturb the dignity, decorum and orderly functioning of judicial proceedings by resorting to such acts is wholly impermissible and cannot be tolerated in a Court of law. The petitioner is, therefore, warned to maintain proper decorum and to conduct himself in a responsible and respectful manner while appearing before any Court or authority. In the event of repetition of such conduct in future, the concerned Court or authority shall be at liberty to take appropriate action in accordance with law.

**(HIMANSHU JOSHI)**  
**JUDGE**