

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,  
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,  
Hon'ble Chairperson**

Dated this the 13<sup>th</sup> September, 2010.

**H.R.M.P.No.651 of 2010**

Petitioner : P.J.Baby, Puthiyaparambil,  
Erattupetta, Kottayam Dist.

Respondents : Mary, W/o Jose, Chirayath,  
Erattupetta, Kottayam Dist.  
and four others.

**ORDER**

The complaint of the petitioner is that no action was taken by the Police officials including the Deputy Superintendent of Police (Dy.S.P), Pala, on his complaints filed against the respondents in which he has alleged that they attempted to kill him by dashing a car against him. He has further stated that the Sub Inspector of Police, Erattupetta, behaved rudely and that direction is to be issued to the Dy.S.P. Pala, to take action on his complaint and also to delete his name from the case registered against him.

In the report submitted by the Superintendent of Police, Kottayam, it is stated that the petitioner and the respondents are neighbours and also relatives and there is a civil suit is pending before the Court. It is also stated in the report that the petitioner obtained an order from the Court in his favour and before the said order was passed the respondents prevented the petitioner from measuring the land. It is further stated that the allegation that there is an attempt by the

respondents to kill the petitioner by dashing a car against him is found false and the petitioner is in the habit of filing complaints.

The statement of the petitioner is annexed to the report wherein he has stated that he wanted a peaceful life and requests to delete his name from the case registered against him since it was registered on a false complaint filed by the respondents.

This Commission cannot pass any further orders in view of the above report since the truth or otherwise of an allegation in a criminal case can be decided only by the Court and this Commission has no jurisdiction to give such findings. It will not be out of place to mention here that in view of the judgment of the Supreme Court in 'Sakri Vasu Vs. State of U.P and Others (AIR 2008 SC 907)' the petitioner has to approach only the Court concerned if he is aggrieved about the investigation in the case.

The petition is accordingly closed.

Justice N. Dhinakar,  
Chairperson.