

Punjab Law Reporter | Supreme Court Online

CrPC, S. 155(1) and (2) - Whenever there is a non-cognizable offence, which is to be investigated, it is the duty of the concerned Police Officer to enter the details of the same in the Station House Diary and send the information to the concerned Magistrate under Section 155(1) of the Cr.P.C. and in terms of Section 155(2) of the Cr.P.C., permission has to be obtained from the jurisdictional Magistrate to initiate the investigation and to proceed further in the matter - Government Pleader submits that requisition has been filed seeking permission to Investigate a non-cognizable offence, that no order has been passed on the said requisition - Perusal of the record shows that no such permission from the jurisdictional Magistrate has been obtained - There being a substantive violation of the mandatory procedural law proceedings cannot be continued against the petitioners Proceedings initiated for the offence punishable under Sections 79 and 80 of the Karnataka Police Act, 1963, quashed.

[2021 SCeJ 1311 \(Kar.\)](#)
