

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No.21108 OF 2012**

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**DATED: 02.07.2015**

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**Between:**

M/s. Satyanarayana Jewellers,  
Rep. by its Proprietor K. Satyanarayana

.. Petitioner

And

The State of A.P.,  
Rep. by its Superintendent of Railway Police,  
Vijayawada, Krishna District, A.P., and another.

.. Respondents

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**ORDER:**

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The complaint of the petitioner, the proprietor of a jewellery establishment, is that the Station House Officer, Guntur Railway Police Station, Guntur, subjected him to illegal detention for five days at the Railway Police Station, Vijayawada, and took away 70 grams of gold under threat of foisting criminal cases against him.

The Inspector of Police, Guntur Railway Police Station, Guntur, filed a counter-affidavit denying the petitioner's allegations and stating that no complaint was ever received from the petitioner and no case had been registered against him on the file of the Guntur Railway Police Station.

It is an admitted fact that the petitioner never lodged a complaint with the police authorities as to the alleged illegal detention that he was subjected to and the seizure of 70 grams of gold from him.

In the light of the denial by the police authorities by way of the

counter-affidavit, the issue raised in this writ petition is reduced to a disputed question of fact which cannot be resolved by this Court in exercise of writ jurisdiction.

The writ petition is therefore dismissed leaving it open to the petitioner to avail appropriate remedies in accordance with law before the competent forum.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

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**JUSTICE SANJAY KUMAR**

2<sup>nd</sup> July, 2015  
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