

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.15920 of 2015

ORDER:

-

The grievance of the petitioner in the present writ petition is the inaction on the part of the third respondent/Station House Officer in completing the investigation in FIR.No.527 of 2014, dated 07.11.2014, registered for the alleged offences under Section 417, 419 and 420 of I.P.C.

2. Heard Sri K.Sai Babu, the learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

3. A counter affidavit is filed by the third respondent/Station House Officer, *inter alia*, stating that during the course of investigation, the investigating officer examined the complainant/petitioner herein and his father and their statements were recorded and notices under Section 91/160 Cr.P.C were issued to the unofficial respondents 4 and 5 herein on 10.03.2015 and 20.06.2015, respectively, requesting them to appear before the investigating agency and to furnish Original Bar Council letter, SSC, Intermediate, LLM Pass Certificates, but they furnished the Photostat copies of the same. The counter further states that the investigating agency many a time requested them to produce the originals of the said certificates, but till date they did not produce the originals to enable the investigating agency to proceed with the further course of action. It is also stated in the counter affidavit that the investigating agency is going to file a requisition before the Court of the XI Metropolitan Magistrate at L.B.Nagar, seeking a direction to collect the original certificates of the qualifications from the unofficial respondents 4 and 5 herein. It is also stated that the investigating agency has also addressed letters to the Civil Supplies Department, RTA as well as Regional Passport Officers on 05.07.2015, to furnish the information given by the accused regarding the date of birth of the wife of the complainant/petitioner. It is stated further that the investigation is pending for want of examination of some more witnesses and for collection of documentary evidence. It is also stated that the action will be taken against the unofficial respondents 4 and 5 depending on the evidence adduced during the course of investigation.

4. In the said counter, a request is made for grant of some more time to the investigating agency for completion of full-fledged investigation and for filing the final report before the concerned Court at the earliest and the delay is caused in collecting the documentary evidence which is neither willful nor wanton. While referring to the contents of the said counter affidavit, it is requested by the learned counsel for the petitioner to fix some time for conclusion of investigation by the respondent police.

5. In the facts and circumstances of the case, this Court is of the considered opinion that the ends of justice would be met if a direction is issued to the respondent police to complete the investigation and to file a final report.

6. Accordingly, the writ petition is disposed of, directing the respondent police to complete the investigation and to file a final report as expeditiously as possible before the concerned Court, preferably within a period of three months from the date of receipt of this order. The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand disposed of. There shall be no order as to costs.

-

A.V.SESHA SAI, J

Date:17.07.2015

grk

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.15920 of 2015

-

Dated 17th July, 2015

grk

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD FOR
THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

WRIT PETITION No.15920 of 2015

-

-

Between:

Patangay Promod Kumar,
S/o P.Narayana,
Aged 35 years, Occ: Soft Engineer,
R/o. 16-11-511/C/32, Pratapnagar,
Dilsukhnagar, Hyderabad

... Petitioner

and

The State of Telangana represented by
Principal Secretary, Home Department, Secretariat,
Hyderabad and four others.

... Respondents

DATE OF JUDGMENT PRONOUNCED:

SUBMITTED FOR APPROVAL: 17th July, 2015

-

-

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

1. Whether Reporters of Local Newspapers
May be allowed to see the Judgment?

Yes/No

2. Whether the copies of judgment may be
Marked to Law Reporters/Journals?

Yes/No

3. Whether Their Lordship wish to see the
Fair copy of the judgment?

Yes/No

