

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

WRIT PETITION No. 32679 of 2011

Between:

E. Shakar Rao

... Petitioner

And

The Superintendent of Police,
Karimnagar, Karimnagar District & others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: **28.07.2015**

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

1. Whether reporters of local newspapers Yes/No
may be allowed to see the judgments?
2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to Yes/No
see the fair copy of the judgment?

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 32679 of 2011

ORDER:

The grievance of the petitioner was that the police authorities were not conducting a fair investigation in the case. He therefore sought a consequential direction to the Superintendent of Police, Karimnagar, the 1st respondent, to transfer the case pending before the Station House Officer, Railway Police, (GRP, Bellampalli), Adilabad District, the 2nd respondent, to the civil Court for fair investigation.

The case of the petitioner was that his daughter was done to death by his son-in-law by faking it as a train accident. His complaint was that the railway police registered a crime under Section 174 Cr.P.C. as a suspicious death but the case should be treated as one falling under Section 302 IPC. Hence, the present writ petition.

Relying on the written instructions dated 21.07.2015 received from the Station House Officer, Jammikunta Police Station, Karimnagar District, the 4th respondent herein, the learned Assistant Government Pleader for Home informed this Court that Crime No.207 of 2011 was registered on the file of the Railway Police Station, Bellampalli, under Section 174 Cr.P.C. in relation to the petitioner's daughter's death. Upon investigation, the provision of law was altered from Section 174 Cr.P.C. to Section 304 (B) IPC and was registered as Crime No.14 of 2012 on the file of the Bellampalli Police Station. The police authorities concluded investigation in the said crime and laid a charge sheet before the concerned criminal Court which was taken on file in Sessions Case No.630 of 2014. The 5th respondent herein, being the son-in-law of the petitioner, was the accused therein. However, the case ended in his acquittal on 11.06.2015.

In the light of the afore-stated facts, the grievance of the petitioner as to the police authorities failing to do their duty is shown to be without basis. The police authorities charged the petitioner's son-in-law under the relevant provision relating to dowry death. However, the competent criminal Court acquitted him after a full-fledged trial. That being so, no cause is made out for interference in this writ petition.

The writ petition is accordingly dismissed.

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

as to costs.

SANJAY KUMAR, J

Date: 28.07.2015

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