

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

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WRIT PETITION No.24286 OF 2011

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Between:

Ghanta Simhachalam

.. Petitioner

And

The Assistant Commissioner of Police,
Visakhapatnam and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 05-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 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 |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.24286 of 2011

ORDER:

The grievance of the petitioner in this case was that the police authorities were harassing him to compromise his dispute with the 4th respondent. He therefore sought a consequential direction to the

police authorities not to interfere with his personal liberty or to force him into a compromise.

According to the petitioner, he was only a witness to the sale deed executed by and between the 4th respondent and her vendor. While so, the 4th respondent was alleged to have lodged a complaint before the police authorities requesting them to compromise the matter between her vendor and herself through the petitioner, who signed as a witness. The petitioner therefore alleged that the police authorities were interfering with his life and liberty.

Relying on the written instructions dated 31.07.2015 furnished by the Station House Officer, Gajuwaka Police Station, Visakhapatnam City, the learned Assistant Government Pleader for Home informed this Court that upon the complaint lodged by the 4th respondent against the petitioner herein and others, Crime No.53 of 2012 was registered under Sections, 420, 468 and 471 I.P.C. read with Section 34 I.P.C. on the file of Gajuwaka Police Station. The petitioner was arrayed as the first accused therein. According to the police authorities, the complaint of the 4th respondent was that she purchased an extent of land at Siripalli Village, Visakhapatnam District, from the petitioner and his brother-in-law and they executed a registered document in her favour but she came to know thereafter that the document was forged.

Upon completion of investigation, the police laid a charge sheet before the learned III Additional Chief Metropolitan Magistrate, Gajuwaka, vide C.C.No.254 of 2012. It is stated that the said case is pending trial.

In the light of the afore-stated facts, it is clear that the petitioner's claim that he was only a witness to the registered sale deed in question is disputed. That apart, as the petitioner figured as an accused in the crime which was registered by the police upon the complaint of the 4th respondent, he can have no grievance as to the

investigation taken up by the police in accordance with due procedure upon such complaint. Further, as the investigation has now culminated in a case before the competent criminal court which is pending trial, it is for the petitioner to face the same and put forth his defence. No interference is therefore warranted in this writ petition, which is accordingly dismissed.

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

JUSTICE SANJAY KUMAR

5th August, 2015
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