

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

TUESDAY THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 29040 OF 2015

Between:

P. Srinivasa Varma

... Petitioner

Vs.

The State of Telangana
Rep. by its Prl Secretary,
Home Department
Secretariat,
Hyderabad & Ors.

... Respondents

Counsel for the Petitioner:

Sri Venkateswarlu Sanisetty

Counsel for the Respondents:

GP for Home [TG]

The Court made the following:

[order follows]

HONOURABLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION NO. 29040 OF 2015

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ORDER:

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This writ petition is filed under Article 226 of the
Constitution of India for the following relief :

“To declare the inaction of the respondent No.3 in investigating into Cr.No.92/2015 inspite of repeated visits as being illegal, arbitrary, unjust and unconstitutional and consequently to direct the respondent No.2 herein to take action against respondent NO.3 herein for dereliction of official duties and to entrust the investigation of the above case to some other investigating agency and to pass such other suitable orders as this court may deem fit and proper in the circumstances of the case.”

2. When the matter is called, written instructions furnished by the Sub-Inspector of Police, Punjagutta Police Station, Hyderabad have been placed on record by the learned Government Pleader for Home.

3. The written instructions, reads as under:

“It is submitted that Cr.No.92/2015 under section 448, 506 read with 34 IPC was registered on 31/1/2015 based on the complaint given by the writ petitioner. Thereafter, the complainant was examined and recorded his statement. Later visited the scene of offence and caused discrete enquiries and also recorded the statements of witnesses. The police made several efforts to serve notice under section 41 [A] Cr.P.C. to the Accused 1) Radha Krishna Reddy 2) Gajjela Kantham but in vain.

It is submitted that the investigation in Cr.No.92/2015 is completed and necessary steps are being taken up for filing charge sheet before the concerned court.

The allegation that the third respondent except registering the case is not making any investigation is false, baseless and denied. The allegation that instead of apprehending the accused the third respondent is calling the petitioner and threatening him to settle the issue with respondents 4 and 5 is also false, baseless and denied. It is incorrect to state that the third respondent derelicted his duties and acting as puppets at the hands of unofficial respondents. It is submitted that the petitioner without knowing the fact that the investigation has been completed in Cr.No.92/2015 and the police are taking steps to file charge sheet and the writ petitioner making false and frivolous allegations against the police, which are not correct and hereby denied.”

4. On noticing the same, the learned counsel for the petitioner has requested this court to dispose of the writ petition by recording the said written instructions.

5. In view of the above, the writ petition is disposed of by recording the reasons mentioned in the written instructions, furnished by the Sub-Inspector of Police, Punjagutta Police Station, Hyderabad.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

15/09/2015
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HONOURABLE SRI JUSTICE A.V. SETHA SAI

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