

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

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WRIT PETITION No. 13136 OF 2015

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ORDER:

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

“to issue Writ, order or direction by declaring the inaction of the 3rd respondent in taking further action on FIR No.71 of 2015 dated 13.03.2015 registered under Sections 420, 406 of the Indian Penal Code, 1860 and Sections 37,51,63,65 and 99 of the Copy Right Act, 1957, as illegal and arbitrary and pass such other order(s) as are deemed fit and proper in the interest of justice.”

2. When the matter is called today, written instructions dated 11.06.2015 furnished by the Assistant Commissioner of Police, CCS, DD, Hyderabad, have been placed on record by the learned Government Pleader for Home. In the said instructions, it is stated as follows:

“ It is respectfully submitted that it is a fact that on a complaint of Mr.Gurudeep Singh, rep.by M/s. Netrika Consulting India Private Limited, a case in Cr.No.71 of 2015 U/secs. 406, 420 IPC and SEcs. 37,51,63,65 and 69 of Copy Right Act was registered on the file of Central Crime Station, Detective Department on 13.03.2015 and taken up the investigation.

During the course of investigation, the investigation officer examined the complainant and other witnesses and recorded their detailed statements and conducted observation panchanama in Swagath Grand, Sainikpuri, Secunderabad, in which the Star Channels are telecasted in Non-DAS area as complained by the complainant.

For the purpose of investigation, letters were addressed to the Principal and Adviser, Broadcasting and Cable Services (B&CS) Telecom Regulatory Authority of India, Jawaharlal Nehru Marg, New Delhi for giving technical expert opinion and also addressed a letter to the Joint Collector, Hyderabad for specific orders issued in respect of DAS and Non-DAS areas in Hyderabad District. The replies from the concerned are awaited. As soon as the replies are received from the authorities, further

course of action will be taken.

It is respectfully submitted that the FIR was registered on 13.03.2015. The investigation is under hectic progress to find out the criminal overt acts of the accused. The investigation is pending for want of collection of documentary evidence, report of the technical expert and guidelines for DAS and Non-DAS areas.

I humbly submit that basing on the outcome of the investigation, appropriate action will be taken against the concerned accused. I assure to this Hon'ble Court that the investigation will be completed as expeditiously as possible and an appropriate report U/sec.173 Cr.P.C. will be filed before the concerned Hon'ble Court by following the due procedure.

I pray this Hon'ble Court to grant some more time to the investigating agency for completion of the full-fledged investigation."

3. On noticing the said instructions, learned counsel for the petitioner requested this court to dispose of the writ petition by recording the said instructions and with a further direction to the respondents/police authorities to complete the investigation, as expeditiously as possible.

4. In view of the above submission and the written instructions made available before this court by the learned Government Pleader for Home, Writ Petition is disposed of, by recording the instructions dated 11.06.2015 furnished by the Assistant Commissioner of Police, CCS, DD, Hyderabad. It is further directed that the respondents/police authorities shall complete the investigation as expeditiously as possible.

5. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

03rd August, 2015

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