

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH  
(Special Original Jurisdiction)

WEDNESDAY, THE FIFTEENTH DAY OF APRIL

TWO THOUSAND AND FIFTEEN

PRESENT

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

**WRIT PETITION No.3009 of 2015**

**BETWEEN**

Ahmed Bin Salam.

**... PETITIONER**

**AND**

The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad and others.

**...RESPONDENTS**

**Counsel for the Petitioner: MR. P. LAKSHMA REDDY**

**Counsel for the Respondents: GP FOR HOME (TG)**

**The Court made the following:**

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**ORDER:**

Heard.

2. Petitioner complains of opening and continuation of rowdy sheet against him. Petitioner states in the affidavit that he was implicated in some of the crimes but he was acquitted in every case and that no case is pending against him and he is not a habitual offender.

3. Respondent No.3 has filed a counter affidavit, which show that the petitioner was found involved in as many as 9 cases. However, each case either ended in acquittal or closure on the ground of mistake of fact or lack of evidence. Hence, none of the said 9 cases survive against the petitioner. It is also stated in paras 4 and 5 as follows as a justification for continuing the rowdy sheet:

“4. It is respectfully submitted that at present no cases are pending against the petitioner herein on the file of Banjara Hills Police Station, Hyderabad. However, due to the involvement of the petitioner in 3 sensational murder cases i.e. Cr.No.267/1990, Cr.No.307/1996 and Cr.No.330/2005 (although they were ended in acquittal) no one has come forward to the police to lodge any complaint against him. It is pertinent to submit that there is every possibility of repeating the same, although the cases were ended in acquittal.

5. I humbly submit that in view of the unlawful activities of the petitioner herein and threatening of the witness, to create peaceful atmosphere in the vicinity of petitioner herein, the then Commissioner of Police, Hyderabad passed orders of externment on 25.5.2011 for a period of six months. I humbly submit that due to the involvement of the petitioner in criminal cases, his arms licence was also cancelled by the competent authority for its misuse.”

4. It is evident from the above that the petitioner was acquitted or the cases were dropped against him on the ground of mistake of fact or lack of evidence, as referred to in para 3 of the counter and no case is pending against the petitioner nor he appears to be involved in

any further case. In view of that, evidently, the petitioner cannot be stated to fall in the category of habitual offender, which is an essential requirement for opening and continuing a rowdy sheet against any person. In the circumstances, therefore, the basis for continuing the rowdy sheet against the petitioner is wholly unjustified and the rowdy sheet is liable to be quashed and it is accordingly quashed.

The writ petition is accordingly allowed. However, if the petitioner is found involved in any unlawful activity, it is open for the respondents to take appropriate action against him in accordance with law. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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VILAS V. AFZULPURKAR, J

April 15, 2015

DSK