

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.18708 OF 2011

DATED 16th JUNE, 2015

Between:

M.Devender Gupta

.. Petitioner

and

The Superintendent of Police,

Adilabad District at Adilabad,

And others.

.. Respondents

-

-

THE HON'BLE SRI JUSTICE SANJAY KUMAR

-

WRIT PETITION NO.18708 OF 2011

ORDER

The grievance of the petitioner in this case was as to the alleged inaction on the part of the police authorities in investigating Crime No.53 of 2011 and Crime No.111 of 2011 on the file of the Station House Officer, Nirmal Town Police Station, Adilabad

District.

As per the written instructions received by the office of the learned Government Pleader for Home, investigation in Crime No.53 of 2011, which was registered under Sections 120-B, 323, 341, 386 and 506(2) IPC read with Section 34 IPC, revealed that it was purely a civil dispute and did not warrant any action on the criminal side. The case was therefore referred as 'false' and a final report to this effect was filed before the learned Judicial Magistrate of First Class, Nirmal.

In so far as Crime No.111 of 2011 is concerned, the same was registered under Sections 448 and 506 IPC read with Section 34 IPC and due investigation revealed that this case also involved a civil dispute. Accordingly, the case was referred as 'false' and a final report to that effect was filed before the learned Judicial Magistrate of First Class, Nirmal. Notice was also served upon the complainant as to this report and the complainant, the petitioner herein, was stated to have filed a protest petition which is pending consideration.

In the light of the aforestated developments, it is clear that the inaction alleged against the police authorities is without basis. It is for the petitioner to avail appropriate remedies in accordance with law in the event he has any grievance about the conclusions arrived at by the Police. In fact, he is stated to have already done so in so far as Crime No.111 of 2011 is concerned and such liberty would still be available to him as regards Crime No.53 of 2011.

The writ petition is therefore dismissed with the above observations. Pending miscellaneous petitions shall also stand dismissed. No order as to costs.

SANJAY KUMAR, J

16th JUNE, 2015

PGS