

THE HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.22707 of 2015

ORDER:

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

“to issue Writ of Mandamus declaring the action of the respondents more particularly that of respondent No.3 in not taking any further steps except issuing FIR in crime No.200 of 2007, dated 14.05.2007 registering a case under Section 379 of IPC against the unknown person is questioned in this writ petition as illegal and arbitrary.”

When the matter is taken up, written instructions dated 01.08.2015 furnished by the Sub-Inspector of Police, Chaderghat Police Station, Hyderabad have been placed on record by the learned Government Pleader for Home.

In the said written instructions, it is stated as follows :-

“The petitioner had approached the police of Chaderghat Police Station, Hyderabad City on 14.05.2007 and lodged a complaint stating that on 14.05.2007 evening 6 pm while she was travelling from Abids towards her residence in RTC Bus No.208-R with a carrying bag containing gold ornaments bag which are as follows 1) Gold chandraharam (48 grams), 2) Necklace (37 grams), 3) Ear Rings (3 grams), 4) Gold ring (10 grams) on the way when she reached at Nalgonda X Road, when she checked her bag she found missing her above said gold ornaments from her bag. Some unknown persons were committed theft of. Hence, she requested the police to take necessary action as per law.

Basing on the contents of the above complaint, a case in crime No.200 of 2007 under Section 379 of IPC was registered on the file of Chaderghat police station on 14.05.2007 and investigation was taken up.

During the course of investigation, the investigating officer examined the complainant and recorded her detailed statement. The investigation officer visited the scene of offence and caused discreet enquiries about the theft but no body came forward to speak about the incident. Tried to secure the witnesses, but in vain.

Modus operandi criminals were thoroughly interrogated but no clues are forthcoming.

In this case all, possible efforts were made to detect the crime vehicle by enquiring in the locality but no useful clues came to light. At present there are no chances of detection of this in the near future. Since

the date of registration of the FIR, this case is under investigation without any clues.

In view of the above, permission was also obtained from the Assistant Commissioner of Police, Sultan Bazar Division, Hyderabad to refer the said case as “Un-detected” for the time being as and when clues came into light it will be reopened and investigated.

It is respectfully submitted that sincere efforts were made to trace out the offenders but in vain. Keeping the case pending long time under investigation, permission was also obtained from the concerned authorities to refer the case as “Undetectable” tentatively. As and when clues are forthcoming the case will be reopened and investigated.

By following the due procedure, this respondent is going to file final report before the concerned Hon’ble Court by following the due procedure at the earliest.

I pray this Hon’ble Court to grant some more time to the investigating agency for filing final report into the Hon’ble Court by following the due procedure.”

In view of the above, this Writ Petition is closed directing the investigating agency to file final report into the Court by following the due process of law, as expeditiously as possible. No costs.

As a sequel, the miscellaneous applications, if any, shall stand closed.

A.V. SETHA SAI, J

Date : 03.08.2015

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