

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.3371 of 2015

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ORDER:

Heard.

The grievance of the petitioner is that though Cr.No.66 of 2010 was registered on 30-08-2010 on the file of the 3rd respondent Police Station, neither investigation is completed nor final report is filed. The petitioner apprehends that without conducting proper investigation, closure report would be filed by the 3rd respondent.

Learned Government Pleader has received instructions, which state that on the basis of the said complaint, investigation was taken up by the Investigating Officer and examined 12 witnesses and recorded their detailed statements. It is also stated that after completion of investigation, appropriate final report is said to have been filed by the 3rd respondent before the Mandal Executive Magistrate, Kowthalam Mandal, Kurnool District on 25-02-2015, after obtaining permission from the Sub-Divisional Police Officer, Adoni. A copy of the proceedings of the Mandal Executive Magistrate in M.C.No.7 of 2010 dated 26-02-2015 is also produced, whereunder the Mandal Executive Magistrate has taken note of the investigation and also the proceedings of the Sub-Divisional Police Officer, Adoni, and stated that no further action is necessary in Cr.No.66 of 2010 and accordingly closed the said crime treating it as "Action Dropped". The instructions further state that on the self same allegation, the petitioner has also filed a private complaint, which is now pending before II Additional Sessions Judge, Kurnool vide S.C.No.754 of 2011 and the trial has been commenced in the said case,

Since the trial has already been commenced, it is appropriate that S.C.No.754 of 2011 is tried and disposed of in expeditiously

accordance with law.

With the above direction, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

VILAS V.AFZULPURKAR, J

Date: 02-03-2015

Prv

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