

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 39035 of 2012

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Date of Judgment: 8.4.2015

Between:

Ivaturi Ravi Rama Krishna @ Ravi

...Petitioner

And

The Superintendent of Police (Urban), Kakinada and another

..Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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W.P. NO. 39035 of 2012

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ORDER:

Heard learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

The petitioner questions continuation of the history sheet No. 447/2007. According to him, he was implicated in a murder case in Cr.No. 1 of 2006 on the file of 2nd respondent and he was tried and acquitted by the VI-Addl. Sessions Judge (FTC), Rajahmundry, East Godavari district in S.C.No. 544 of 2006 under judgment dated 29.6.2007 and thereafter he was implicated in Cr.No. 63 of 2009

under Section 110 (e) of Cr.P.C. The petitioner states that except the aforesaid case which ended in acquittal, he is not involved in any other crime, but the history sheet opened against him is continued from 2007 onwards.

Second respondent filed a counter-affidavit which confirms in paragraph-3 that the sessions case ended in acquittal of the petitioner and in paragraph-5 of the counter-affidavit it is specifically stated that at present no fresh cases are registered against the petitioner on the file of III Town Law and Order Police Station, Rajahmundry, East Godavari District. However, there are a number of oral complaints against the petitioner of his indulging in unlawful activities, hence the history sheet is continued against him.

Evidently, except one sessions case which ended in acquittal, after that the petitioner is not found involved in any other criminal case. Hence unless the petitioner is described as a habitual offender, the history sheet cannot be continued. In the circumstances, I do not find any justification to continue the history sheet against the petitioner.

Hence the writ petition is allowed and the history sheet is quashed. However, whenever if the petitioner is involved in any criminal case, the respondents-police are at liberty to take appropriate action against him as per law. Miscellaneous applications, if any, shall stand closed. No order as to costs.

VILAS V. AFZULPURKAR, J

Dt. 8.4.2015

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