

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.11608 of 2015

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ORDER:

Heard.

The grievance of the petitioner is that respondents 2 and 3 are interfering with the civil dispute between the petitioner and respondents 4 and 5 relating to the land admeasuring 900 sq. yards bearing Plot Nos.779, 779A and 780 in Sy.No.11/32 situated at Khanamet Village, Serilingampally Mandal, Ranga Reddy District. The petitioner also stated that there is a decree of civil court in his favour against respondents 4 and 5 in O.S.No.1699 of 2012 on the file of the VIII Additional Senior Chief Judge, Ranga Reddy District. Alleging that respondents 2 and 3, at the instance of respondents 4 and 5, are pressurizing him to settle the civil dispute with respondents 4 and 5, the petitioner filed the present writ petition.

Learned Government Pleader has received instructions, which state that the private complaint of the petitioner was referred to respondents 2 and 3, based on which a case in Cr.No.817 of 2014 was registered on 04-12-2014 and the petitioner was also given notice under Section 91/160 Cr.P.C., dated 10-02-2015, requesting him to appear before the investigating agency for the purpose of recording his statement and to produce relevant documents to enable respondents 2 and 3 to proceed further in the investigation. However, it is stated that the petitioner is not co-operating with the investigation. The allegations made by the petitioner are denied and stated that there is no pressure on the petitioner by respondents 2 and 3 to settle the civil dispute as alleged. The instructions further state that if the petitioner appears and gives his statement, respondents 2 and 3 would proceed further in accordance with law and complete the investigation and then file appropriate final report before the court concerned under Section 173 Cr.P.C. Along with the said instructions, notice issued to the petitioner under Section 91/160 Cr.P.C. is also produced, which contains acknowledgment of the petitioner.

Learned senior counsel appearing for the petitioner, however, stated that no

such notice was served on the petitioner and the petitioner is not aware of any steps taken by respondents 2 and 3. In any case, learned Senior counsel says that the petitioner would appear before respondents 2 and 3 and co-operate with them for investigation in Cr.No.817 of 2014.

In view of that, the writ petition is disposed of directing respondents 2 and 3 to record the statement of the petitioner, as and when he appears along with documents and complete investigation in the aforesaid crime and thereafter file appropriate final report expeditiously. No order as to costs.

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

VILAS V.AFZULPURKAR, J

Date: 01-05-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.11539 of 2015

01-05-2015

