

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

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WRIT PETITION No.20567 OF 2012

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Between:

Y. Sampath Kumar

.. Petitioner

And

Government of Andhra Pradesh
Rep. by its Principal Secretary, Home Department,
and others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 06-08-2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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|---|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 3. Whether Their Lordship wish to
see the fair copy of the Judgment? | Yes/No |

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.20567 of 2012

ORDER:

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This writ petition was filed assailing the action of the respondents and more particularly, the Station House Officer,

Jammikunta Town Police Station, Karimnagar District, who was impleaded eo nomine as respondent No.5, in compelling the petitioner to settle his civil disputes with the 6th respondent.

Notice was not served upon the 5th respondent and it is now stated by Mr. B. Shashank, learned counsel representing Mr. K.S. Murthy, learned counsel for the petitioner, that the 5th respondent is no longer at the location indicated in the cause title and that notice could not be served upon him. In that view of the matter, the writ petition is dismissed as against the 5th respondent.

The Station House Officer, Jammikunta Police Station, Karimnagar District, furnished written instructions dated 08.07.2015 to the office of the learned Government Pleader for Home supplementing what was stated in the counter-affidavit filed way back in August, 2012. As per the written instructions, the petitioner lodged a complaint against the

6th respondent whereupon Crime No.15 of 2010 was registered on the file of Jammikunta Police Station. However, the police found that a suit in O.S.No.13 of 2010 was pending between the petitioner and the 6th respondent before the learned Principal District Judge, Karimnagar. As the issue boiled down to a civil dispute, the police advised the petitioner to settle the same through the process of the civil court. The Station House Officer however stated that while investigating Crime No.15 of 2010, the police found certain criminal components which warranted action and accordingly laid a charge sheet before the competent criminal court and the case is now pending trial in C.C.No.373 of 2015 on the file of the learned Additional Judicial Magistrate of First Class, Huzurabad. The Station House Officer further stated except investigating Crime No.15 of 2010, which was registered on the basis of the petitioner's own complaint, the police never harassed or threatened him and his family members or compelled him to settle his disputes with the 6th respondent.

As the civil dispute between the petitioner and the 6th respondent also gave rise to an action in criminal law, the police were bound to investigate the matter and take appropriate action thereafter. As the criminal case is now stated to be pending trial before the competent court, it is for the 6th respondent to face the same. No interference is warranted in this writ petition in the light of the afore-stated facts.

The writ petition is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

6th August, 2015
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