

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.37291 of 2015

ORDER:

This writ petition was filed with the following prayer:

‘For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue writ or order or direction more particularly one in the nature of Writ of Mandamus declaring action of the respondent No.4 in not investigating the case properly and simply registered the case under section 498(A) of I.P.C. without adding Section 307 and 325 of I.P.C. and filed charge sheet vide C.C.No.457 of 2015 before learned XIII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad despite of fact that the Accused in the above criminal case have tried to kill the petitioner as illegal, arbitrary, unjust and against principles of natural justice consequently direct the respondent No.3 to investigate the case thoroughly and place records before this Hon’ble Court pertaining to the above offence made by the petitioner’s husband and his family members for consideration and adding Section 307, 325 of I.P.C. in addition to section 498(a) I.P.C. and Sec. 3 & 4 of Dowry Prohibition Act and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice.’

It is not in dispute that the charge sheet has already been laid before the competent criminal Court.

Learned counsel for the petitioner is unable to explain to this Court as to how the police would continue to have the power to alter the Section of law after laying of the charge sheet before the competent Court.

The writ petition is therefore misconceived and is accordingly dismissed. This order shall however not preclude the petitioner from taking recourse to the proper remedy before the appropriate forum in relation to her grievance.

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

SANJAY KUMAR, J

Date:17.11.2015

GJ