

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
-  
For the State of Telangana and the State of Andhra Pradesh

W.P.NO:20730 of 2015

Between:

Cheela Balaji

.. Petitioner(s)

And

The State of Telangana. and others

.. Respondent(s)

DATE OF JUDGMENT PRONOUNCED: 11.8.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE A.V. SESA SAI

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|-----------------------------------------------------------------------------------|--------|
| 1. Whether Reporters of Local news papers<br>may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be<br>marked to Law Reporters/Journals      | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to<br>see the fair copy of the Judgment?  | Yes/No |

THE HON'BLE SRI JUSTICE A.V.SESA SAI  
W.P.No.20730 of 2015

O R D E R:

This writ petition is filed under Article 226 of the Constitution of India for the following relief –

“ Hon'ble Court may be pleased to pass an order or orders or writ particularly one in nature of Writ of Mandamus declaring the action of the 2<sup>nd</sup> respondent in not conducting investigation and thereby not arresting respondent nos.3 & 4 pursuant to registration of Crime/FIR.No.217 of 2014 dated 12.5.2014 as illegal, arbitrary and contrary to the provisions of Criminal Procedure Code, 1973 and consequently direct the 2<sup>nd</sup> respondent to immediately arrest the respondent nos.3 & 4 and conduct investigation in accordance with law and file charge sheet and pass such other order or orders as this Hon'ble Court may deem fit and proper..”

When the matter is taken up for consideration, written instructions dated 20.7.2015 furnished by the 2<sup>nd</sup> respondent-Station House Officer, Kamareddy Police Station,

Nizamabad District has been placed on record by the learned Government Pleader for Home and the relevant portion of the same reads as under :

“ It is respectfully submitted that, on 12.5.2014 this respondent received a court referred case and registered a case vide Crime No.217 of 2014 u/s 120(B), 406, 420 r/w 34 IPC and 156(3) Cr.P.C. and took up the investigation. During the course of investigation the Investigation Officer examined the witnesses and recorded the statements and found that the case is purely civil in nature, therefore, the Investigation Officer requested the Senior Officers to grant permission to refer the case as “Civil Nature”. Accordingly, the SDPO, Kamareddy granted permission to refer the case as “Civil Nature”.

It is respectfully submitted that, the final report will be filed shortly in the competent court.”

Noticing the said instructions, learned counsel for the petitioner requests to dispose of the writ petition by recording the above written instructions dated 20.7.2015 and to direct the respondents-authorities to file the final report as expeditiously as possible.

In view of the above, the writ petition stands disposed of by recording the above written instructions dated 20.7.2015 furnished by the 2<sup>nd</sup> respondent-Station House Officer, Kamareddy Police Station, Nizamabad District. The respondents authorities shall expedite the filing of the final report before the concerned Court. Miscellaneous applications, if any pending in the writ petition, shall stand closed. No costs.

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A.V.SESHA SAI, J

Date:11.8.2015  
kk

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

W.P.No.20730 of 2015

11.8.2015