

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

WRIT PETITION No.24006 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue writ of Mandamus to declare the action of the 4th respondent innot registering the FIR on the complaint of the petitioner dated 1.7.2015 and not investigating the case to take action on the complaint is arbitrary,illegal, and agaisnt to the letter and sprite to constitution of India consequently direct the 4th respondent to register the FIR on the complaint dated 1.7.2015 and to investigate the case to take action on the complaint of petitioner.”

Heard Sri Mohd. Mumtaz Pasha, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 07-08-2015 furnished by the Sub-Inspector of Police, Uppal Police Station, Cyberabad Commissionerate have been placed on record by the learned Government Pleader for Home. In the said instructions to the extent of relevancy for the present case read as under:

“After conducting preliminary enquiry into matter, a case in Cr.No.765/ 2015 U/secs 420, 506 IPC was registered on the file of Uppal Police Station on 6.8.2015 and taken up the investigation.

Now, the investigation is at the preliminary stage. Necessary steps will be taken against the accused in the FIR depending on the evidence adduced during the course of investigation.

It is pertinent to submit that action was taken on the complaint of the petitioner herein which was sent by post, after conducting preliminary enquiry into the matter, by registering an FIR No.765/2015 U/secs.420, 506 IPC dt.6.8.2015. I assure to this Hon'ble Court that the investigation will be completed as expeditiously as possible and an appropriate report U/sec.173 Cr.P.C will be filed at the earliest by following the due procedure.

After conducting preliminary enquiry, the above case was registered. In the meanwhile some delay has caused in registering the FIR, which is neither willful nor wanton.”

On noticing the above said instructions, learned counsel for the petitioner has requested this Court to record the said instructions and close the writ petition.

In view of the above, the writ petition stands disposed of, by recording the written instructions, dated 07-08-2015 furnished by the Sub-Inspector of Police, Uppal Police Station, Cyberabad Commissionerate.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. There shall be no order as to costs.

A.V. SESA SAI, J

August 10, 2015

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