

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41538 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2nd respondent in not deleting the names of the petitioners from FIR No.705 of 2016 though the 3rd and 4th respondents withdrawn the allegations levelled against the petitioners, as illegal and arbitrary and consequently quash the proceedings against the petitioners in FIR No.705 of 2016.

The case in brief is that the petitioners are studying 2nd year B.Tech., in Aurora Technological and Research Institute, Parvathapur, Uppal, Hyderabad, and the 3rd respondent is studying 1st year B.Tech., in the same college. The case of the petitioners is that the 4th respondent, who is the Director of the said College, lodged a complaint before the 2nd respondent stating that the 3rd respondent made a complaint before the Management of the College, stating that the petitioners and others have ragged and manhandled him on 31.10.2016 at around 11.00 hours. Basing on the same, the above crime was registered against the petitioners and others for the offences under Sections 3, 4 (I) and 4 (II) of the A.P. Prohibition of Ragging Act.

The learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and that after receipt of complaint from the 4th respondent, the College Management suspended the petitioners and others from the college and appointed an Anti-Ragging Committee for enquiring into the matter and after enquiry, the Committee has submitted a report on 01.11.2016 stating that the petitioners are not involved in the alleged offence and thereafter, the College Management has allowed the petitioners to

attend the classes by revoking the suspension. He further submitted that the 4th respondent and the 3rd respondent have filed individual representations before the 2nd respondent on 03.11.2016, requesting to drop the charges against the petitioners since they are not involved in the ragging, but the 3rd respondent is not deleting the names of the petitioners from the above case.

Today, the petitioners and the 3rd respondent are present before this Court and identified by their respective counsel. On questioning, the 3rd respondent informed that on the date of incident, the petitioners have just stood in the quay, but did not hit him. It is also informed by the 3rd respondent that he has already made a representation before the police concerned, withdrawing the complaint against the petitioners.

Considering the facts and circumstances of the case and also in view of the above statement of the 3rd respondent, and since the petitioners are students, this Court is inclined to pass the following order:

The Writ Petition is allowed and the proceedings against the petitioners in FIR No.705 of 2016 on the file of Medipalli Police Station, Cyberabad, Hyderabad, are hereby quashed. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 30, 2016.
KTL