

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 804 of 2016

ORDER:

The prayer of the petitioner in this case is as under:

“That this Hon’ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents particularly Respondents 4 & 5 in not furnishing the copies of the statements of all witnesses recorded under section 161 of Cr.P.C. by the 3rd respondent in Cr.No.245/2014 on the file of Rajahmundry II Town Police Station, to the petitioner and wantonly not filed the said statements before the concerned Magistrate, as arbitrary, illegal, unconstitutional, and contrary to the provisions of Criminal Procedure Code, and the provisions of the Right to Information Act, 2005, and to pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. Written instructions dated 11.02.2016 were furnished by the Deputy Superintendent of Police, South Zone, Rajahmundry Urban, to the office of the learned Government Pleader for Home wherein he stated that copies of the Section 161 Cr.P.C. statements of the complainant and five independent witnesses would be furnished to the petitioner upon request.

3. That being so, the Writ Petition is disposed of permitting the petitioner to approach the Deputy Superintendent of Police, South Zone, Rajahmundry Urban, East Godavari District, the fourth respondent, for

copies of the afore-stated statements. The fourth respondent shall forthwith issue the copies, as per the due procedure, within one week from the date of the written request made by the petitioner.

The Writ Petition is disposed of with the above directions. Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

**JUSTICE SANJAY
KUMAR**

February 25, 2016

LMV