

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 22960 of 2016

ORDER :

The present Writ Petition came to be filed seeking to issue a writ of *mandamus* declaring the action of respondent Nos.2 to 4 in harassing the petitioner and his family members by calling them to police station frequently without any justifiable cause, as illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the Assistant Government Pleader for Home for the State of Andhra Pradesh appearing for respondents 1 to 4. At the request of both the counsel, the Writ Petition is being taken up for disposal at the stage of admission. Since this Court is not deciding the case on merits, it may not be necessary to hear unofficial respondent No.5.

3. The case of the case of the petitioner is as follows:

The marriage of the petitioner with respondent No.5 took place on 18.12.2014 and both of them resided in matrimonial home for 10 to 15 days after the marriage. Respondent No.5 started misbehaving with everybody and did not co-operate with the petitioner, and started canvassing that the petitioner was impotent. When father of respondent No.5 along with rowdy elements attacked the petitioner, he lodged a report, basing on which a case in crime no.312 of 2015 of III Town police station, Anantapur came to be registered for the offences punishable under Sections 452, 307 read with 34 of the Indian Penal Code, 1860('IPC'). As a counter blast to the same, respondent No.5 lodged a report against the petitioner and his family members, basing on which a case in crime No.332 of 2015 of II Town police station, Anantapur was registered for the offences punishable

under Sections 498A, 307 read with 34 IPC and 3 and 4 of the Dowry Prohibition Act, 1961 against the petitioner, his parents and other family members. The petitioner was granted anticipatory bail in the said case and has been co-operating with the investigation of the case. But, at the instance of respondent No.5, respondents 2 to 4 started harassing the petitioner and his parents by calling them to police station unnecessarily at odd hours, make them sit in police station from morning to evening without any reason and pressurizing them to compromise the matter with respondent No.5 by threatening to foist criminal cases.

4. Learned Assistant Government Pleader appearing for respondents 1 to 4, on instructions, states that the allegations made in the Writ Petition are all false and respondent Nos. 2 to 4 are not summoning the petitioner or his family member to the police station.

5. Recording the said statement, the Writ Petition is disposed of directing respondent No.4 not to summon the petitioner or his family members to police station except in accordance with the procedure established by law.

Miscellaneous petitions pending, if any, in the Writ Petition shall stand closed in the light of this final order. No order as to costs.

C.PRAVEEN KUMAR, J

14.07.2016

DRK

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