

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42516 of 2015

ORDER:

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

“For the reasons stated in the accompanying affidavit the Petitioner therefore prayed that the Hon'ble Court may be pleased to issue a writ, order or direction, more particularly one in the nature of Mandamus, declaring the inaction of the 1st to 6th Respondents [viz., not prosecuting, not investigating, not arresting and remanding and not filing charge-sheet against the 7th to 16th Respondents] as illegal, arbitrary, unconstitutional infringing and violating and depriving the Petitioners from enjoyment of his fundamental right to life, guaranteed Under Article 21 of [The] Constitution of India, and to direct the 6th Respondent, to take necessary legal action/prosecute, viz., investigate, arrest and remand and file Charge Sheet, against the 7th to 16th Respondents herein in F.I.R. No. 147 of 2010, for the Offences Punishable Under Sections 120-B, 307, 364-A, 379, 447, 504, 325, of the 497 of the Indian Penal Code, according to the law, in the interest of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper under the facts and circumstances of the case.”

Learned Assistant Government Pleader for Home informed this Court that after completion of investigation in Crime No.147 of 2010 on the file of Bhavani Nagar Police Station, a final report under Section 173(2) Cr.P.C. was filed before the learned VIII Additional Chief Metropolitan Magistrate, Hyderabad, referring the case for 'lack of evidence'. Intimation to this effect was also given to the complainant in the prescribed format.

In the light of the afore-stated developments, it is for the petitioner to take recourse to appropriate remedies in accordance with law if he is aggrieved by the conclusion arrived at by the police authorities.

Reserving liberty to the petitioner to do so, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand

closed. No order as to costs.

JUSTICE SANJAY KUMAR

1st March, 2016
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