

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.34196 OF 2017

ORDER:

The petitioner prays for the following relief:

“....Writ of Mandamus declaring the action of the respondent Nos. 2 and 3 in insisting the petitioner to appear before them without giving the details of crime number is as illegal and arbitrary and without jurisdiction and affecting the petitioner's Constitutional rights guaranteed under Articles 14, 19(1)(g), 21 and 300-A of Constitution of India and consequently direct the respondents 2 and 3 not to insist the petitioner to appear before them without there being any complaint registered against the petitioner...”

The Assistant Government Pleader submits that Crime No.305 of 2017 is registered in 3rd respondent police station under Section 420 read with 406 IPC etc. He further submits that the presence of petitioner will be summoned in the pending crime in accordance with the Criminal Procedure Code. The writ petition is filed on the assumption that no case is pending with the 3rd respondent. In view of the statement of Assistant Government Pleader, the prayer is untenable. By placing on record the statement of Assistant Government Pleader, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

S.V.BHATT, J

Date: 02.11.2017
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