

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 32892 OF 2017

O R D E R:

The grievance of the petitioner is that there is a total inaction on the part of the 2nd respondent Circle Inspector of Police on the complaint made by her husband, dated 15.08.2017 as well as the one made by her on 09.09.2017 against the 3rd respondent.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home (Telangana) has placed on record the written instructions received from the Station House Officer, Karimnagar II Town Police Station, on 05.10.2017, wherein it has been stated that the complaint made by the petitioner's husband was received on 21.08.2017 and a GD entry to that effect was made on the same day itself. It is also submitted that the preliminary enquiry conducted thereinto does not disclose commission of any cognizable offence, however, the fact that the police have not taken necessary steps, as required under Section 173 of the Code of Criminal Procedure, has been admitted. Sofar as the complaint dated 09.09.2017 said to have been submitted by the petitioner is concerned, the Station House Officer has categorically denied the same having been received by their office.

A perusal of the material placed before this Court also does not disclose any acknowledgment having been obtained by the petitioner with respect to the complaint dated 09.09.2017. In those circumstances, one cannot find fault with the respondent authorities for the alleged inaction on their part on the complaint dated 09.09.2017. However, it is to be noted that having conducted a preliminary enquiry, the respondent police are required to take necessary further steps, as mandated under

Section 173 of the Code, in the light of the guidelines issued by the Supreme Court in ***Lalita Kumari v. Government of U.P.***¹

In those circumstances, the Writ Petition is disposed of with a direction to the 2nd respondent to take necessary further steps pursuant to the enquiry made into the complaint dated 15.08.2017, under Section 173 of the Code. As regards the complaint dated 09.09.2017, the Station House Officer shall treat the same as a complaint and take necessary action in accordance with law. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

05th October 2017

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CHALLA KODANDA RAM, J



¹ (2014) 2 SCC 1