

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.33850 of 2017

ORDER :

This Writ Petition has been filed by the petitioners challenging the action of the 3rd respondent in interfering in the civil disputes between the petitioners and the respondents 4 to 7. It is also stated that injunction order had been obtained on 11.02.2015 in IA.No.1555 of 2014 in SOP.No.780 of 2014 before the Principal District Court, Warangal and in spite of knowing that the dispute between the petitioners and the private respondents is civil in nature, the 3rd respondent is making phone calls to the 2nd petitioner frequently and harassing the petitioners by colluding with respondents 4 to 7.

2. The Government Pleader for Home on instructions states that the 4th respondent had filed a private complaint under Section 200 Cr.P.C. before the IV Additional Judicial Magistrate of First Class, Warangal against the 2nd petitioner, that this was forwarded by the Court to the 3rd respondent for investigation and report under Section 156(3) Cr.P.C., that Cr.No.262 of 2017 under Section 420 and 405 IPC read with Section 156(3) Cr.P.C. was registered on 28.06.2017 against the 2nd petitioner by the 3rd respondent; that in the complaint it is alleged that the 2nd respondent had established the 1st petitioner-Educational Society, that the 4th respondent is the

Secretary and the 2nd petitioner is Principal of the said Society, that the 2nd petitioner withdrew Rs.9,90,000/- without the consent of the 4th respondent and thus cheated and misappropriated the money. It is stated that the statement of the 4th respondent was recorded, but the 2nd petitioner is evading to receive notice under Section 41A of Cr.P.C. It is also stated that the dispute between the 2nd petitioner and the 4th respondent is civil in nature, that proposals have been sent to the Commissioner to refer the private complaint of the 4th respondent as civil in nature, and that final report to that effect will be filed before the concerned Court shortly.

3. It is denied that the 3rd respondent summoned the 2nd petitioner to the police station or asked him to settle the matter or interfered with the civil dispute as alleged by the petitioners.

4. Having regard to the statement made by the Government Pleader for Home on the basis of written instructions issued by the 3rd respondent, this Writ Petition is disposed of directing the 3rd respondent to file an appropriate final report before the IV Additional Judicial Magistrate of First Class, Warangal. However, the respondents 1 to 3 are restrained from compelling the petitioners to settle their civil disputes with respondents 4 to 7 in any manner. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending if any shall stand closed.

M.S.RAMACHANDRA RAO, J

11th October, 2017.
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