

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No. 20145 of 2013

ORDER:

Heard Mr. Suresh Shiva Sagar and the Assistant Government Pleader for Home.

The petitioners have raised twin grievances against the Respondent Nos. 3 and 4 by filing the instant Writ Petition. Firstly, Respondent No.4 ought to be directed not to interfere with the liberty of the petitioners and secondly, restrain the respondents from interfering in civil disputes.

The counsel for the petitioners by placing reliance on the annexures filed along with the writ petition tried to persuade this court for grant of appropriate relief. It is a matter of record that a suit in OS No.795 of 2013 was filed by the petitioner against one Mohd. Mohsin Hussain. Admittedly, in respect of the property which is referred to in the affidavit, suit was filed and pending. Likewise, if the petitioners have a civil dispute against Respondent Nos. 5 and 6, they ought to have work out the same by filing a suit before the court of competent jurisdiction.

As regards the two prayers referred to above, the Assistant Government Pleader for Home submits that in all the abovementioned 3 cases i.e., Cr.No.161/2012,

Cr.No.115/2013 and Cr.No.132/2013, the petitioner herein and his wife are shown as accused. The investigation in all the 3 crimes are pending. In connection with Cr.No.161/2012, the petitioner and his wife obtained anticipatory bail from the concerned Court and further submits that the allegation of the petitioner that at the instance of the 5th and 6th respondents herein, this respondent is interfering with civil disputes is absolutely false and hence denied. It is humbly submitted that the petitioner and his wife are required in connection with the above 3 crimes.

In view of the above circumstances, this Court is not persuaded to entertain the writ prayer.

The writ petition is dismissed accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 15.11.2017
Gs/Knl