

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 30907 OF 2017

ORDER:

This writ petition is filed seeking a direction to respondent No.2-Commissioner of Police, Cyberabad Police Commissionerate, to expedite the investigation and to file charge sheets in the crimes registered against one M.Balaji, MPP President, Chevella.

It is asserted by the petitioner that he lodged a complaint on 15.07.2017 before respondent No.4-Station House Officer, Chevella Hills Police Station, against M.Balraj and his two sons, M.Yadagiri and M.Venkatesh, and the same was registered as FIR No.289 of 2017 for the offences punishable under Sections 307 and 504 IPC read with Section 34 IPC. When no action was taken by the police thereon, he filed yet another complaint on 05.08.2017 stating that there are number of F.I.Rs registered against the said persons. The grievance of the petitioner is that no action has been taken on the complaint, dated 05.08.2017, as the said persons are politically-connected and the Police are also hand-in-glove with them.

Learned Government Pleader for Home, initially, placed before this Court the written instructions, dated 12.09.2017, wherein respondent No.4 stated that with respect to Crime Nos.161 of 2012, 271 of 2014 and 36 of 2017, charge sheets were filed and in respect of Crime Nos.220, 230 and 289 of 2017, investigation is under progress and charge sheets will be filed as expeditiously as possible.

The instructions submitted by respondent No.4 being not satisfactory, on 15.09.2017, this Court directed the learned Government Pleader to ascertain the specific time-line within which investigation would be completed. Today, the learned Government Pleader placed before this Court the written instructions, dated 19.09.2017, wherein respondent No.4 seeks three months time to complete the investigation.

In the complaint, dated 05.08.2017, the allegation of the petitioner is that on 15.07.2017, at about 5.50 p.m., the above-named individuals were summoned to the Police Station by respondent No.4 and at about 7.00 p.m., while the petitioner was conversing with Circle Inspector of Police, Guravaiah, the said individuals in the presence of Circle Inspector and Sub-Inspector, beat the petitioner and one Mr.Chand Basha. Thereupon, FIR.No.289 of 2017 was registered under Sections 307 and 504 IPC read with Section 34 IPC. The written instructions indicate that the Police require three months time for filing charge sheets or for taking further action.

Learned Government Pleader submits that the statements of Sri Amakanti Ravi Kumar, Police Constable (PC 2984), Sri Gopagani Guravaiah Goud, Circle Inspector of Police, Chevella Circle and Sri B.S.S.Vara Prasad, Sub-Inspector of Police, Chevella Police Station, were already recorded. The copies of the statements are also placed on record. A perusal of the same discloses that the incident had occurred on the said date.

This is a case where an incident is alleged to have occurred in the presence of the Police and the same is confirmed by the statements of Police Constable, Circle-Inspector and Sub-Inspector, recorded by respondent No.4. If respondent No.4 requires three months time for taking necessary action, the efficiency/inefficiency of the Police gets reflected and the same does not in any way inspire confidence. It may be noted that if the statements were recorded as far back as on 15.07.2017, it is un-understandable by this Court the reason why no further action was taken in the matter and what further requires to be done in the cases of this nature. The complaint of the petitioner cannot be brushed aside only on mere apprehension, and in the facts of the present case, this Court has no other option except to record that there was a lapse on the part of respondent Nos.3 and 4.

In the circumstances, the writ petition is disposed of with a direction to respondent No.4 to take necessary steps in relation to FIR No.289 of 2017, within two weeks from today.

This Court hope and trust that respondent No.2 shall monitor the investigation in the cases where complaints are specifically made alleging involvement of the local leaders, as they seem to be having influence over the respective Station House Officers.

Consequently, the miscellaneous petitions, if any shall stand closed. No costs.

CHALLA KODANDA RAM, J

Dt:06.10.2017
kdl

