

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.6719 OF 2017

ORDER:

This writ petition is filed challenging the inaction of the fourth respondent in non-compliance of the orders passed by this Court in W.P.No.5334 of 2015, dated 11.03.2015, in respect of crime No.23 of 2012.

The petitioner states that on the complaint of the petitioner, crime No.23 of 2012 was registered on 20.04.2012 by the fourth respondent and when no action was taken, the petitioner filed W.P.No.5334 of 2015 and the said writ petition was disposed of when the learned Government Pleader stated that the report of the analysis by the FSL authorities was awaited. It is also stated that the material objects were sent to the FSL authorities on 13.07.2012. The writ petition was disposed of on 11.03.2015 with a direction to the fourth respondent herein to file appropriate report after receipt of the FSL report. The said fact was brought to the notice of the respondents by the petitioner by letter, dated 30.11.2016.

Now a counter affidavit is filed by the fourth respondent stating that the investigation so far done in the case established the case against the Juvenile conflicting with law Mr Shanthanu Dinesh Jain, who created a fake advertisement post over www.quikr.com stating that the victim Mrs.Praveen Barida was a divorcee and ready for remarriage, and thus causing insult to the modesty of the victim. A charge sheet was filed on 23.03.2017 before the Court of V Additional Chief Metropolitan Magistrate, Hyderabad, and C.C.Number is awaited.

The entire counter affidavit does not disclose the date on which the FSL report was received, but the charge sheet was filed only after receipt of notice in the present case. There is a clear case of negligence on the

part of the fourth respondent. The order, dated 11.03.2015 passed in W.P.No.5334 of 2015 also did not move the fourth respondent.

In the circumstances, the writ petition is disposed of directing the third respondent to conduct enquiry with respect to the negligence of the fourth respondent in taking appropriate steps even after disposal of W.P.No.5334 of 2015, dated 11.03.2015, and on communication of the order to the fourth respondent, by the petitioner, vide letter, dated 30.11.2016. It is open to the third respondent to entrust the enquiry to a competent Officer and on the basis of the report of the Officer, the third respondent shall take appropriate action in accordance with law.

The writ petition is accordingly disposed of. Miscellaneous petitions, if any, pending in the writ petition shall stand closed.

17.04.2017
pln

A.RAMALINGESWARA RAO, J

