

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.7552 of 2017

ORDER:

Heard both sides. With the consent of both parties the writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed seeking issuance of writ of Mandamus declaring the action of respondents in calling the petitioner to the police station as contrary to law, illegal and arbitrary.

3. Though various grounds are raised, the learned counsel for the petitioner would submit that the respondent police are calling the petitioner to the police station, without any crime being registered against him.

4. A counter came to be filed by the respondents disputing the averments made in the writ affidavit. According to the learned Government Pleader, the allegation that the petitioner is being summoned to the police station is false and incorrect. However, it is stated that a case in Crime No.211 of 2016 of Chikkadpally Police Station came to be registered against the petitioner for the offences punishable under Sections 420 and 406 of IPC and that investigation in the said crime was handed over to the Sub-Inspector of Police – respondent No.7 herein. A perusal of the counter further shows that during the course of investigation, the informant and other witnesses were examined and their statements were corroborating to the facts in FIR.

5. Having regard to the above, the writ petition is disposed of directing the respondent police to strictly follow the procedure of law, if they intend to summon the petitioner before the police station or take action pursuant to the registration of the crime. No costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

14.06.2017
vhb

