

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION No. 29774 OF 2017**

**ORDER:**

The petitioner is aggrieved by the lengthy notice dated 18.08.2017 issued under Section 91(C) of the Code of Criminal Procedure by the 3<sup>rd</sup> respondent Station House Officer.

The case of the petitioner is that he stood as surety for the release of his daughter, son-in-law and Ms. V. Thejavathi, sister of his son-in-law, against whom a case was booked for the offences punishable under Sections 494, 420, 498 read with 120(B) of the Indian Penal Code and he deposited FDR for an amount of Rs.15,000/- for each of the accused. It is also his case that there were some matrimonial disputes between his son-in-law's sister and her husband and in that connection, a case under Section 498-A of the Indian Penal Code is pending on the file of Kukatpally Police Station. While so, the 3<sup>rd</sup> respondent has been summoning him to the Police Station several times and has been posing several irrelevant questions and at last, has issued the impugned notice dated 18.08.2017.

Heard learned counsel for the petitioner and learned Government Pleader for Home (Telangana).

A perusal of the questionnaire, which has been sent to the petitioner, discloses that as many as 34 questions were sought to be posed to him. As rightly contended by the petitioner, all the questions are irrelevant and do not concern with the crime registered for the offence under Section 498-A of the Indian Penal Code. Further, it could be seen from the notice that the petitioner was required to give reply to these questions within three days'

time. A perusal of the notice shows that even for a well-versed person in law, it will take about 8 to 10 days to answer. Further, the petitioner also cannot be compelled to answer all the questions as it would infringe his right.

Therefore, it is directed that the petitioner shall be at liberty to answer the questions to the extent to which he desires and furnish the material in his possession which he considers relevant, to the 3<sup>rd</sup> respondent Station House Officer through Registered Post with acknowledgment due. It is also made clear that the petitioner cannot be compelled to answer the questionnaire, beyond a reasonable measure, and furnish any information unrelated to the matter in issue, as he is not an accused in the said crime.

Subject to the above, the Writ Petition is disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

**CHALLA KODANDA RAM, J**

05<sup>th</sup> September 2017

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