

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION NO. 21409 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 respondent Nos.4 and 5 in harassing the petitioner by calling him everyday to police station and making him wait there from morning to night, at the instance of respondent No.6, as illegal and arbitrary.

3. The averments in the writ petition would disclose that the petitioner, who is a B.Tech student, got married on 07.08.2016. It is stated that on 10.04.2017, at about 06.00 p.m., the wife of the petitioner went out from her parent's house saying that she is leaving to the petitioner's place, but did not turn up and hence a report came to be lodged before the police station by the father-in-law of the petitioner. The grievance of the petitioner is that pursuant to the complaint given by the father-in-law of the petitioner, a case in Crime No.49 of 2017 was registered at Narsaraopet II Town Police Station, Guntur, as 'women missing' case and that though he was not shown as accused in the said crime, he is being summoned to the police station, harassed by making him sit there for a long time.

4. Learned Government Pleader for Home denies the same. He, however submits that since the wife of the petitioner is missing, the father of the missing woman lodged a report, pursuant to which the

petitioner was being called to the police station to enquire about the contents in the report. According to him, except on that day, the petitioner was never called to the police station. The same is disputed by the learned counsel for the petitioner stating that even after filing the writ petition, the petitioner was forcibly asked to come to the police station, wherein he was threatened with dire consequences.

5. Having regard to the rival submissions made across the Bar and taking into consideration the circumstances of the case, the writ petition is disposed of directing the respondent police not to summon the petitioner to the police station and make him sit in the police station for hours together, except in accordance with the procedure established by law. If any material is available to show that the petitioner has been detained, the petitioner is always at liberty to take recourse to law. However if any crime is registered against the petitioner, the police are at liberty to take action in accordance with law. No costs.

Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

07.07.2017
vnb