

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 24136 of 2017

ORDER:

1) The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of respondent Nos.4 and 5 in not considering the representation dated 25.06.2017, made by the petitioner, as arbitrary, illegal and unconstitutional.

2) Before proceeding further, it would be useful to extract the representation dated 25.06.2017, which is as under:

"To
The Station House Officer,
Hayathnagar Police Station.

Sub: Compromise proposal – Crime No.1022 of 2016
and Cr.No.207 of 2017 –Reg.

Ref: & Encl: Proposal letter received from the
Accused in Crime NO.207 of 2017 & Crime No.1022
of 2016 –Enclosed.

Respected Sir,

Please find enclosed the proposal letter (Photocopy) received from the accused in Crime No.1022 of 2016 and Crime No.207 of 2017. Kindly inform me the scope of criminal cases compounding and the closure of proceeding further into civil trial and eventual settlement of the entire issue permanently.

Thanking you,

Sincerely,

Sd/ - Ch.Gopinath)

Complainant in Crime No.207 of 2017"

3) This letter was addressed by one Ch.Gopinath, the petitioner herein, to the Station House Officer, Hayathnagar Police Station. It appears that the petitioner wanted information

relating to compounding of criminal cases, closure of the proceedings and eventual settlement of the entire issue permanently. The Station House Officer is not the person to answer these queries. The intention of the petitioner in asking the police to give an opinion as to the scope of criminal cases, whether they can be settled permanently appears to be quite strange.

4) A proposal, which was enclosed to the representation dated 25.06.2017, relates to some compromise in Crime No.1022 of 2016 and Crime No.207 of 2017, on payment of Rs.15.00 lakhs towards compensation to the petitioner by T.Nageswara Rao and T.Srinivasa Rao, in four equal instalments after withdrawal of criminal cases and also payment of Rs.10,00,000/- by the petitioner to B.Krishna Murthy. As observed earlier, definitely these are not the issues which the police can act upon. The police have no jurisdiction or power to involve themselves in this issue. Hence, I see no merit in the request made by the petitioner and the writ petition is liable to be dismissed.

5) Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

01.08.2017
gkv

