

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 41916 of 2016

ORDER:

Petitioner is stated to be an Accused in connection with crimes arising out of an incident alleged to have happened in railway premises on 13.08.2016. The brother-in-law of the petitioner lodged a complaint against the Railway Police and the same was registered as Crime No.164 of 2016 for the offences punishable under Section 324 I.P.C. read with Section 34 I.P.C. by the Sub-Inspector of Police, Nizamabad III Town Police Station. Thereafter, the Inspector of Railway Protection Force (RPF), Nizamabad, lodged against the petitioner a complaint, which in turn, was registered as Crime No.165 of 2016 by the Sub-Inspector of Police, Nizamabad III Town Police Station for the offence punishable under Section 332 I.P.C. On the complaint of respondent No.4, RPF registered Crime No.376 of 2016 against the petitioner for the offences punishable under Sections 146, 147, 159 and 145 (b) of the Railways Act and the same is under challenge in the present writ petition on the ground that on the same incident, two complaints were registered against the petitioner, one by the regular police and another by RPF, which is illegal.

As seen from the above events, it appears that some altercation took place on 13.08.2016 within the Railway premises which led to the registration of three crimes as stated above. One crime was registered against the Railway Police on the complaint

made by the brother-in-law of the petitioner and two other crimes were registered against the petitioner by RPF and regular police.

Learned counsel for the petitioner submits that the petitioner cannot be subjected to investigation of two crimes arising out of the same incident and hence, the present crime should be quashed.

The present crime was registered under the provisions of the Railways Act, whereas the other complaint was registered by the regular police under Section 332 I.P.C. The provisions and the procedure are different. In the circumstances, this Court is not in agreement with the submission made by the learned counsel for the petitioner. This Court sees no ground to interfere with the investigation undertaken pursuant to the present crime.

The writ petition is accordingly dismissed. It is needless to observe that the Police of RPF shall continue the investigation only in accordance with law.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:06.03.2017

kdl

