

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.27197 of 2017

ORDER:

Failure of the official respondents in nabbing the culprits and investigating into Crime No. 779 of 2015 dated 08.10.2015 on the file of S.R.Nagar Police Station, Hyderabad, despite the representation dated 28.09.2016 of the petitioner, is questioned in this Writ Petition.

The case of the petitioner is that some disputes arose between his daughter and son-in-law, who is the complainant in the above crime. Unfortunately, on 08.10.2015, his daughter was murdered in her matrimonial house, but however, his son-in-law made a complaint to the police with false allegations. Though the petitioner submitted the representation dated 28.09.2016 to S.R. Nagar Police, there is no progress in investigating the matter and till now, no one was held responsible for the crime.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home (Telangana) obtained instructions, in writing, from the Sub-Inspector of Police, S.R. Nagar Police Station to the effect that during the course of investigation, the Investigating Officer examined the complainant and some other witnesses including the petitioner and recorded their detailed statements, but so far, no clues are forthcoming about the offence.

Having considered the submissions of the respective parties, it is seen that the grievance of the petitioner is that there is no progress in the investigation. The stand of the respondents is that as of date they have reached a dead end and there is no new clues available and on that account there is a stalemate. In such circumstances feeling of letting down of the petitioner by the system is also on account of the fact that there is no methodology for knowing the progress that is being made from time to time. However, on account of the provisions

of the Right to Information Act, 2005 (for short, “the Act”) the petitioner to some extent in access to the developments/progress of the case. As a matter of fact, this Court, in identical circumstances, while dealing with Writ Petition No. 25857 of 2017, on 04.08.2017, has passed the order, the operative portion of which reads as under:

“In the writ affidavit, there is no averment that the petitioner had approached respondent – authorities seeking status of investigation or the stage at which investigation had stalled or being proceeded with. Even assuming that the petitioner had approached the respondent – authorities and they have not responded, she has right to approach the authorities under the Right to Information Act, 2005 (the Act) where the designated Public Information Officer is required to furnish necessary information within the time stipulated, state the reasons and the information that is required to be furnished on which queries are put. If no information is provided within the stipulated time, right of appeal is provided under the Act. In case, the information provided is not adequate, it would also give further opportunity to seek clarification”.

The writ petition is disposed of with a direction to the respondents to make further efforts to apprehend the culprits. Petitioner shall also be entitled to seek the information from time to time by invoking the provisions of the Act. No costs.

The Miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

16th August 2017

Ksld/gk