

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.1411 of 2017

ORDER

This writ petition is filed seeking to declare the action of the 4th respondent in calling the petitioner and his family members to the police station at the instigation of 5th and 6th respondents and forcing them to surrender the property to the 5th respondent, as arbitrary and illegal.

Learned Government Pleader for Home, based on written instructions, submits that complaint dated 22.10.2016 of the petitioner was referred to the police for investigation. After completion of investigation, a report was filed before the Court stating that there was no evidence. Thereafter, the 6th respondent lodged a complaint and the same was registered as a case in Cr.No.472 of 2016. Notices were served on the accused including the petitioner on 23.1.2017 and charge sheet was also filed, but CC number is awaiting. There is a property dispute between the petitioner and the 5th respondent and during the course of investigation, the Investigating Officer called the petitioner to the police station twice.

In view of the above facts, this Court is not inclined to interfere with the investigation into the crime. However, if the petitioner is in possession of the property in question, the 4th respondent shall not force him to surrender the property to the 5th respondent.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

13th March, 2017
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