

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE NO.2459 OF 2016

O R D E R

This contempt case was instituted alleging wilful disobedience to the order dated 10.12.2015 passed by this Court in W.P.No.40099 of 2015. By the said order, this Court directed the police authorities to abide by the law laid by the Supreme Court in **LALITA KUMARI V/s. GOVERNMENT OF UTTAR PRADESH¹** in the context of the petitioners' complaint dated 06.09.2015.

Independent counter-affidavits were filed by the Superintendent of Police, East Godavari District, Kakinada, the Sub-Divisional Police Officer, Amalapuram, East Godavari District, and the Inspector of Police, Mummidivaram Circle, East Godavari District. The sum and substance thereof is to the effect that basing on the complaint dated 06.09.2015 made by the petitioners, Crime No.131 of 2015 was registered on the file of the Katrenikona Police Station, East Godavari District. However, after due investigation and examination of as many as 16 witnesses, the case was referred as a mistake of fact and as per the orders of Superintendent of Police, East Godavari District, vide proceedings dated 16.11.2016, a final report was filed before the learned Judicial Magistrate of First Class, Mummidivaram, East Godavari District, on 14.12.2016 after due service of notice upon the complainants on 25.11.2016.

In the light of the aforestated developments, this Court finds no disobedience, much less wilful disobedience, to its order warranting exercise of contempt jurisdiction. In the event the petitioners are aggrieved by the final report filed by the police authorities, it is for them to avail appropriate remedies in accordance with law.

Leaving it open to the petitioners to do so, the contempt case is closed. No order as to costs.

SANJAY KUMAR, J

16.03.2017

PGS

¹ (2014) 2 SCC 1