

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.25598 OF 2017

ORDER:

This Writ petition is filed alleging that the respondent police are harassing him at the instance of 6th respondent.

2) A perusal of the affidavit discloses that in respect of Custom Milling Rice Scheme, paddy has been entrusted to the petitioner for the crop year 2014-15. Petitioner did not fulfill the agreement entered into with the 6th respondent. In that process 6th respondent authorities have been putting pressure on the 4th and 5th respondents, and harassing the petitioner.

3) Learned Government Pleader for Home had placed on record a copy of the F.I.R. No.44 of 2016 of Munagala Police Station, dated 12.03.2016, registered for the offences under Section 406, 420 IPC and submit that as per the information given by the Investigating Officer, enquiry is being done only in relation to the F.I.R. No.44 of 2016.

4) A Perusal of the FIR discloses the said FIR came to be filed by the Branch Manager, Andhra Bank, Munagala, Nalgonda District, but not at the instance of any complaint having been made by the 6th respondent.

5) In the circumstances, the Writ Petition is disposed of with a direction to the respondents 2 to 5 not to harass the petitioner on any oral complaint of the 6th respondent. In the event of 6th respondent lodges any complaint in relation to the paddy supplied under Custom Milling Rice Scheme, the police shall follow the principles laid down in **Lalitha Kumari v. Government of U.P.**

and Others¹ as well as the guidelines laid down in **Arnesh Kumar v State of Bihar²**.

6) Consequently, Miscellaneous Petitions pending, if any, in these writ petitions, shall stand closed. There shall be no order as to costs.

JUSTICE CHALLA KODANDA RAM

Date:02.08.2017.

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¹ (2014) 2 SCC 1

² (2014) 8 SCC 273