

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Writ Petition No.35083 of 2017

ORDER :

Heard the learned counsel for the petitioners and the learned Govt. Pleader for Home and the learned Public Prosecutor representing all official respondents and perused the prayer in the writ petition as follows:-

“To issue a Writ or order more particularly one in the nature of writ of Mandamus, declaring the action of the respondents in calling the petitioner to the police stations basing on the criminal cases Cr.Nos.369 of 2006, 125/2007, 828/2007, 07/2008, 165/2009, 269/2006, 141/2007, 298/2007, 190/2011 and 123/2014 which are closed except C.C.No.1239 of 2012 on the file of VIX Addl.Chief Metropolitan Magistrate at Hyderabad is abusive process of law and pending civil litigations as illegal, arbitrary and in violation of Article 21 of the Constitution and consequently quash the same and pass such other order or orders as may deem fit and proper in the circumstances of the case.

It is the submission of the learned counsel for the petitioners that despite the earlier cases are closed, the police are harassing them one way or the other, thereby there will be a direction to police not to interfere with the personal liberty of the petitioners. The closure of the cases no doubt filed, however it is the submission of the learned Govt. Pleader that it does not mean there are no cases pending and there is no requirement of calling for by the police if at all any report received or any crime pending. Even from said submissions, it is not open to interfere in any civil disputes between private parties, much less to call for police station and harass in connection with any civil disputes, unless there is a crime registered and pending to call for investigation purpose.

Having regard to the above, the Writ Petition is disposed of with a direction to the police not to call the petitioners unnecessarily and by interfering in any civil dispute unless there is any crime pending for

the purpose of investigation from any necessity of securing presence of any of that accused in such crime. Consequently, pending miscellaneous petitions, if any, shall stand closed.

Dr. B.SIVA SANKARA RAO J,

Date:25.10.2017
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