

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.41946 of 2017

ORDER:

The petitioner prays for the following relief :-

"..... to issue a Writ or order or directions particularly Writ of Mandamus calling for the records and declare the action of the Respondents particularly the Respondents 3 to 5 harassing the Petitioner herein under the guise of an enquiry to give evidence to suit their illegal trap in connection with Crime No.15/RCA-CIU-ACB/2017 on the file of the 5th Respondent as illegal, arbitrary, contrary to law, unconstitutional, official bias and ultra-virus, violative of Articles 14 and 21 of the Constitution of India, in the interest of justice...."

Learned counsel for petitioner has drawn the attention of the Court to the averments in paragraph Nos.5 and 6 and contends that the petitioner is frequently called to Police Station and calling the petitioner to Police Station is infringement of the right of petitioner.

Mr.Uday Bhasker vehemently contends that ACB is investigating a serious scam in Cr.No.15/RCA-CIU-ACB/2017 and basing on the evidence gathered during and in the course of investigation, the ACB is summoning such individuals/officers either to appreciate their complacency in the crime investigated by the ACB or such persons presence is required to prove one or the other circumstances, which was investigated by ACB.

To the pointed query of the Court on the maintainability of the writ prayer, the counsel submits that as the petitioner is unable to put up with the harassment, the present writ petition is filed. However, he seeks liberty to send reply to the respondents, if so advised.

The statement is placed on record.

As no case is made out, the writ petition is dismissed accordingly. There shall be no order as to costs.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

Date: 12-12-2017
Prv



S. V. BHATT, J