

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.2448 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (A.P.) appearing for the respondents.

2. When the matter is taken up, written instructions, dated 19.02.2018, furnished by the Sub-Inspector of Police, Bhavanipuram Police Station, Vijayawada City are placed on record by the learned Government Pleader for Home. The said instructions read as under:

“One Smt.Pujari Shailaja approached the police of Bhavanipuram Police Station and lodged a complaint on 25.1.2018 against her husband and inlaws as they subjected her to mentally and physically harassed her and demanded her to bring additional dowry and necked her from matrimonial house.

Upon receipt of the said complaint, an entry was made into the Station General Diary, after enquiry action will be taken. Though many a time, this respondent police tried for counseling the parties, the petitioner for the reasons best known to him did not turned up for counseling till 3.2.2018.

Accordingly, after conducting preliminary enquiry into the matter, a case in Cr.No.77/2018 U/secs.498-A IPC and Sec.3 and 4 of Dowry Prohibition Act dated 3.2.2018 was registered on the file of Bhavanipuram Police station and taken up the investigation into the case.

It is respectfully submitted that the investigation is at the initial stage. Necessary steps will be taken against the concerned accused in the FIR depending on the evidence adduced during the course of investigation into the case. I assure to this Hon’ble Court that the

investigation will be completed as expeditiously as possible.

A copy of the FIR is annexed to the written instructions for the kind perusal of this Hon'ble Court.

It is submitted that action was taken on the complaint of the wife of the petitioner herein and registered the above case against him and hence the petitioner is required in connection with the above. When the investigation is at the initial stage, if any orders/directions are passed, taking advantage of the same, the petitioner may not cooperate with the investigating agency."

3. During the course of arguments, it is submitted by learned counsel for the petitioner that the procedure adopted by the police in registration of the crime is not in accordance with law.

4. By placing on record the above said instructions, the Writ Petition stands disposed of, keeping it open to the petitioner herein to avail the remedies open under law. There shall be no order as to costs.

5. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date : 21.02.2018
AMD

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AMD