

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.35017 of 2015

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for respondent Nos.1 to 3.

The prayer sought in the writ petition is as under:

“... to issue an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus to declare the inaction of the 3rd respondent in conducting investigation into Cr.No.144 of 2015 though the said crime is registered on 27.03.2015 for the offence u/Sec. 464, 466, 468, 420, 506, 447 r/w 34 IPC, as being illegal, arbitrary and unjust and to consequently direct the 3rd respondent to complete the investigation and to file charge sheet before the concerned Magistrate as expeditiously as possible and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.”

The basic grievance of the petitioner is that in spite of registration of Crime No.114 of 2015 for the offence under Sections 464, 466, 468, 420, 506, 447 read with Section 34 IPC against respondent Nos.4 to 6, the 3rd respondent is not conducting any investigation.

When the matter is called, the learned Government Pleader appearing for respondent Nos.1 to 3, on instructions, submit that pursuant to the registration of Crime No.144 of 2015, investigation has been taken up and the investigating officer filed a report before the concerned Magistrate on 20.12.2017 referring the case as “the matter is civil in nature”.

In view of the above submissions, this Court is of the opinion that no further cause would survive in the writ petition.

Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHA RAO, J

Date: 22.11.2018.
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