

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.3795 of 2018

ORDER:

Today, when the matter is called, written instructions deposited by the Sub-Inspector of Police, Vayalpad Police Station, Chittoor District is placed on record. A.S.Nagar Police Station, Vijayawada City, Krishna District is filed. Paragraphs 2 to 4 of the written instructions read as follows:

"2. It is submitted that it is fact that the petitioner herein filed private complaint before the Hon'ble JFCM Court, Valmikipuram against one Balisetty Raghavulu & 3 others. The said private complaint was forwarded to the Vayalpad P.S., for investigation. Accordingly, basing on the same, a case in Cr.No.14/2016, dt. 28.01.2016, u/s. 498-A, 420, 403 r/w. 34 1PC & Section 156 (3) Cr.PC, was registered on the file of the Vayalpad Police Station against one Balisetty Raghavulu & 3 others and investigation was taken up. The contention of the petitioner that he has earlier filed complaint before the police station and no action was taken thereon by the Vayalpad P.S., is not correct and denied.

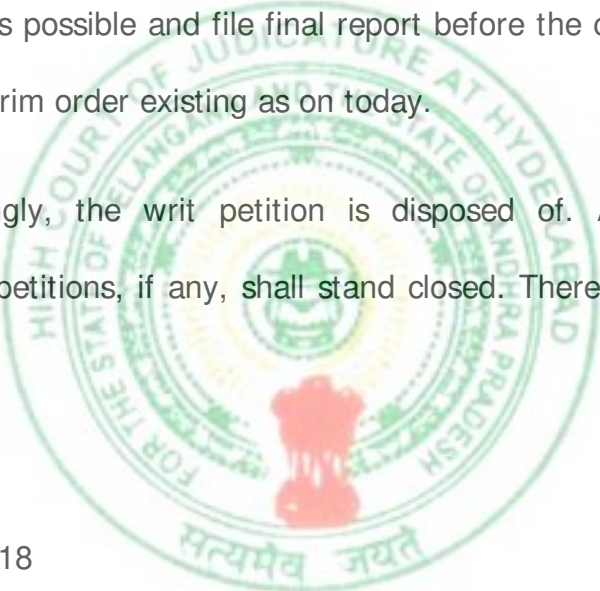
3. It is submitted that during the course of investigation in Cr.No. 14/2016, the investigating officer has examined (5) witnesses and recorded their statements. While the investigation was in progress, the accused in Cr.No.14/2016 have filed CrI.P No. 8156/16 u/s. 482 or Cr.PC before this Hon ble Court, wherein this Hon'ble Court by orders dated 15.06.2016, in CrI.M.P.No. 8984/16, in CrI.P.No. 8156/16, was pleased to grant interim stay of all further proceedings in FIR No. 14 of 2016 or Vayalpadu P.S., Chittoor District, including the arrest of the petitioners, which has been further extended by orders dt. 01.08.2016 & 27.09.2016 in CrI.P.No. 8156/16. The said CrI.P.No. 8156/16 is still pending on the file of the Hon'ble Court.

4. In view of the circumstances stated supra, the investigation Cr.No. 14/2016 could not be proceeded with further. Apart from that, the petitioner herein, being the 2nd respondent in CrI.P.No. 8156/16, is also aware of the above-said facts. In spite of the same, the

petitioner herein has filed present writ petition, making allegations against the Vayalpad Police about non-conduct of investigation'-in Cr.No.14/16. Therefore, all the allegations of the petitioner in the writ petition against the respondent police authorities are totally false, baseless and hereby specifically denied."

2. Having regard to the contents in the above said paragraphs of the counter affidavit and keeping in view the submissions of the learned counsel for the petitioner and the learned Government Pleader, this Court deems it appropriate to dispose of the writ petition with a direction to the respondents to complete the investigation in Cr.No.14 of 2016 as expeditiously as possible and file final report before the competent Court if there is no interim order existing as on today.

3. Accordingly, the writ petition is disposed of. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 10.12.2018
Grk/DA



THE HON'BLE SRI JUSTICE A.V.SESHA SAI



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