

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.3888 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Inspector of Police, Proddatur Urban Circle, YSR Kadapa District, dated 09.03.2018, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present writ petition, read as under:-

"It is submitted that all the contentions of the petitioner against the 4th respondent are not correct. Since the 4th respondent never forced the petitioner to have the Settlement with unofficial respondent the facts are as follows. The petitioner has a property dispute of civil nature with his brother, the 5th respondent herein, but the allegation that the 4th respondent has been interfering with the said civil dispute, is absolutely false and baseless. In fact, basing on the complaints of the petitioner herein, the following cases are registered on the file of the 4th respondent Police Station

- 1) Cr.No.8/2016 dt.12.01.2016, u/s.341, 324, 506 I.P.C., against the 5th respondent herein, wherein after completion of investigation, charge sheet was filed on 23.03.2016, which is now pending trial vide C.C.No.95/2016 on the file of the Hon'ble I-AJFCM Court, Proddatur.
- 2) Cr.No.4/2018 dt.6.1.2018 u/s.341, 506 r/w 4 I.P.C., against the 5th respondent herein and another, wherein after completion of investigation, charge sheet was filed on 23.01.2018 and the same is now pending trial vide C.C.No.70/2018 on the file of the Hon'ble I-AJFCM Court, Proddatur.

Apart from the above two cases registered on the file of III-Town Police Station, Proddatur on the complaint of the petitioner herein, the 4th respondent herein also came to know that a case in Cr.No.196/2015, dt.08.12.2016, u/ss.323, 506 380, 307 r/w 34 I.P.C., & Section 156 (3) Cr.P.C., registered on the file of the Proddatur II-Town PS., against the 5th respondent herein & 2 others, basing on the private complaint of the petitioner herein, wherein after completion of investigation, the same was said to be closed as 'False'.

It is submitted that in view of the above facts, all the allegations of the petitioner in para-7 of the affidavit

are totally false and baseless. The contention of the petitioner that the 4th respondent called the petitioner on 07.01.2018 to the Police Station and asked him to settle the issue with the 5th respondent, detaining and threatening him to book against him, is not correct and denied. The further contention of the petitioner on 23.01.2018, the 4th respondent called the petitioner to the Police Station and asked him to give in writing to withdraw all the cases against the 5th respondent and settle the issue with the 5th respondent, is absolutely false and baseless.

It is submitted that as stated supra, Cr.Nos.8/16 and 4/18 of 4th respondent Police Station, registered basing on the complaints of the petitioner herein against the 5th respondent herein, were duly investigated by the 4th respondent police and charge sheets were filed therein and the same are now pending trial vide C.C.Nos.95/16 and 70/18 on the file of the Hon'ble I-AJFCM Court, Proddatur. Thus, there is no truth in any of the allegations of the petitioner made against the 4th respondent herein.

It is reiterated that the 4th respondent has never forced the petitioner herein to have a 'settlement' with the unofficial respondent herein and not to construct the house till the 4th respondent gives permission, nor threatened the petitioner to book criminal cases if he does not heed his warnings, at any point of time. All these and such other allegations are concocted only for the sake of filing this Writ Petition and the same are hereby specifically denied."

Having regard to the above instructions, the Writ Petition is disposed of by placing on record the said instructions furnished by the Inspector of Police, Proddatur Urban Circle, YSR Kadapa District, dated 09.03.2018.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

A.V.Sesha Sai, J

Date:14.03.2018
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