

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4078 OF 2018

ORDER:

Heard learned counsel for the petitioner and the learned Government Pleader for Home (TG) appearing for the official respondents.

2. When the matter is taken up, written instructions, dated 09.02.2018, furnished by the Station House Officer, Dundigal Police Station, Cyberabad are placed on record by the learned Government Pleader for Home. The said instructions read as under:-

“It is submitted that, on receipt of the private complaint filed by the petitioner from the Hon’ble Court of VI Metropolitan Magistrate at Rachakonda at Medchal, a case in Crime No.949/2017 u/s.420, 463, 468, 471 r/w.34 IPC and Section 156(3) of Cr.P.C. dated 15.11.2017 was registered against the unofficial respondents 4 to 6 with PS : Dundigal and took up for investigation. The respondent No.4 P. Santhosh Kumar, respondent No.5 KVKP Ranga Raju and respondent No.6 Mohan Lal Yadav are accused Nos.1, 2 and 3 respectively in the said crime.

The gist of the private complaint is that the alleged accused with a dishonest intention and with ulterior motive to grab the property of the complainant admeasuring Ac.1.02 guntas in Sy.No.260 and Ac.0.28 guntas in Sy.No.257 total admeasuring Ac.1.30 guntas situated at Bowrampet Village, Gandimaisamma Dundigal Mandal, Medchal District and also created fake documents with respect of the said lands and also abused him in filthy language.

During the course of investigation, the Investigation Officer examined the complainant and his wife and recorded their detailed statements. A notice

u/s.91/160 Cr.P.C. dated 20.12.2017 was issued to the complainant requesting him to furnish the original documents relating to the subject property of him and its link documents i.e., GPA, Sale Deed and other documents. So far the petitioner has not approached the Police Station and not given any document.

It is submitted that the investigation is under progress. 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 and an appropriate report will be filed before the concerned Hon'ble Court at the earliest by following the due procedure.

It is submitted that while the investigation in the above crime is pending, the accused filed W.P.No.44531/2017 alleging that the police are interfering with their possession over the subject properties bearing Sy.No.257/A and Sy.No.260/A situated at Bowrampet Village while the interim orders granted in suit OS No.8/2017, dated 3.2.2017 are pending. Detailed written instructions were filed in the said writ petition and the Hon'ble High Court was pleased to dispose of the writ petition on 22.1.2018. In view of the filing of the writ petition by the accused, the investigation in the above crime is pending. The petitioner herein knowing full well that the accused filed writ petition impleading him as respondent No.4 in the said writ petition, suppressing the said fact, and after disposal of the said writ petition, filed the present writ petition on 6.2.2018 alleging that the police are not conducting investigation and not taking action against the accused."

3. In view of the above instructions and taking into consideration the nature of controversy, this Writ Petition is disposed of, directing the respondent police authorities to complete the investigation in Crime No.949 of 2017, as expeditiously as possible, as per law. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date : 15.02.2018
AMD



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