

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.4634 OF 2018

ORDER:

When the matter is taken up, written instructions, dated 12.02.2018, furnished by the Sub-Inspector of Police, Kalapathar Police Station are placed on record by the learned Government Pleader for Home (TG) appearing for respondent Nos.1 to 4. The said instructions read as under:

“The petitioner herein has filed a private complaint U/sec.200 Cr.P.C. on the file of the Special First Class Magistrate for Excise Cases, Hyderabad against the unofficial respondents 5 to 9 (who are accused in the complaint).

Upon receipt of the said private complaint, the Hon’ble Court forwarded it to the Station House Officer, Kalapathar Police Station, Hyderabad for investigation and report U/sec.156(3) Cr.P.C.

On receipt of the private complaint from the Hon’ble Court, a case in Cr.No.3/2018 U/secs.420, 465, 468, 427, 448, 471, 506 r/w 34 IPC and also Arms Act dated 6.1.2018 was registered on the file of Kalapathar Police Station on 6.1.2018 and taken up the investigation into the case. The unofficial respondents herein are shown as accused in the FIR.

During the course of investigation, the investigation officer examined the complainant/petitioner and recorded his detailed statement.

Notice U/Sec.91/160 Cr.P.C. dated 9.1.2018, dt.15.1.2018 were issued to the petitioner/complainant requesting him to produce the relevant eye witnesses and to produce the relevant documentary evidence in support of his version.

As part of investigation into the case, a letter dated 30.1.2018 was also addressed to the Deputy

Commissioner, GHMC Circle-5, Charminar, Hyderabad requesting him to furnish the property tax and ownership particulars of the house No.19-2-81/C, Khaja Pahadi, Kalapathar, Hyderabad. The reply is awaited.

Letters dated 30.1.2018, 31.1.2018, 1.2.2018 and 9.2.2018 were also addressed to the Sub Registrar, Bahadurpura, Hyderabad and Sub Registrar, Red Hills, Hyderabad and District Registrar, Red Hills, Hyderabad requesting to furnish the concerned documents relating to the land bearing No.19-2-81/C admeasuring 920 sq.yards. The replies from the authorities are awaited.

It is pertinent to submit that the FIR was registered on 6.1.2018. The investigation is under progress. It is pending for want of examination of some more witnesses including the cited witnesses of the petitioner/complainant and also to collect material evidence to prove the offences in the FIR.

To complete the investigation into the case, it requires some more time to the investigating agency. Necessary steps will be taken against the accused in the FIR depending on the evidence adduced during the course of investigation into the case. I pray this Hon'ble Court to grant some more time for completion of the investigation into the case."

2. Having regard to the above instructions and taking into consideration the nature of controversy in the present writ petition, the Writ Petition is disposed of, directing the respondent police authorities to complete the investigation as expeditiously as possible strictly in accordance with law. There shall be no order as to costs.

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

JUSTICE A.V.SESHA SAI

Date : 14.02.2018
AMD

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