

HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.30615 of 2017

ORDER:

The alleged inaction on the part of the fifth respondent in completing investigation in Crime No.123 of 2017 registered on 07.07.2017 for the offence under Section 20(b)(c) of NDPS Act, 1985 and in filing final report/charge sheet in the Writ Petition.

Counter affidavit deposed by Superintendent of Police, YSR District, Kadapa, on 18.09.2017, is filed.

Paragraph 6 of the counter affidavit reads as under:

“In view of the above facts, it is submitted that the fifth respondent has registered Crime No.123 of 2017 dated 07.07.2017 under Section 20(b)(c) of NDPS Act, 1985 against one Ummadi Ramesh Babu & 5 others, including the petitioner herein (A.4) strictly in accordance with law and as per the provisions of Criminal Procedure Code. The investigation in Crime No.123/2017 dated 07.07.2017 of Kadapa II Town Police Station, is on, wherein the expert opinion from the Prohibition and Excise Laboratory, Kurnool in respect of seizure (Ganja) is pending. On receipt of the same, the investigation will be finalized and filed report under Section 173 Cr.P.C. before the concerned Hon'ble Court. Therefore, there is no inaction on the part of the fifth respondent herein in completing the investigation, as alleged in the writ petition. All other allegations of the petitioner against the respondent police authorities are totally false, baseless and the same are hereby specifically denied.”

Since the Superintendent of Police, YSR District, Kadapa, filed the counter affidavit as long back as on 18.09.2017, this Court deems it appropriate to dispose of the Writ Petition with a direction to the fifth respondent to complete investigation and to file a final report as expeditiously as possible and the petitioner shall also cooperate with investigation.

The Writ Petition is, accordingly, disposed of. Miscellaneous Petitions pending, if any, shall also stand dismissed. No order as to costs.

A.V.SESHA SAI,J

Date: 26.11.2018
usd

