

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.8846 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the 4th respondent in calling the petitioner to the police station at the behest of unofficial respondents and pressurizing him to withdraw the suit O.S.No. 40 of 2017 pending on the file of the Junior Civil Judge at Peddapalli otherwise threatened to implicate the petitioner in false criminal cases, and thereby causing interference in the civil disputes, as being illegal, arbitrary and violative of Article 21 of the Constitution of India and consequently direct the Respondent Nos. 2 and 3 herein to take action against the 4th respondent in accordance with Law, and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case.”

(Reproduced verbatim)

2. I have heard the submissions of Sri *B.Jagan Madhava Rao*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana) appearing for the respondents 1 to 4. I have perused the material record.

3. When this writ petition is taken up for hearing, learned Government Pleader, on written instructions, which are placed on record, would submit that on the complaint of one Odelu, who is the father of the 7th respondent herein, a case in Crime No.283 of 2017, was registered on 05.08.2017, by the Station House Officer, Peddapalli Police Station, Peddapalli District, Ramagundem Commissionerate, for the offences punishable under Sections 447,

427, 506 read with Section 34 of the Indian Penal Code against the petitioner herein and others and that investigation is completed and charge sheet is filed and assignment of a calendar case number by the Court concerned is awaited and that on the complaint of the petitioner, a case in Crime No.309 of 2017, dated 28.08.2017, was registered by the said Police against some of the unofficial respondents herein and others for the offences punishable under Sections 447, 188, 427, 323 & 506 read with Section 34 of the Indian Penal Code and that the said case is under investigation.

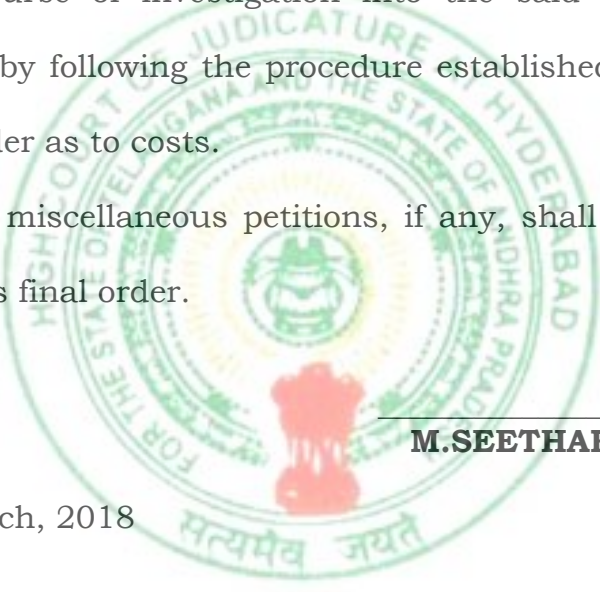
4. Learned counsel for the petitioner would submit that in the case that was registered against the petitioner, the petitioner was enlarged on bail and that the grievance of the petitioner is that he is being called to the Police Station and is being pressurized to compromise the civil suit, in which the civil Court granted a temporary injunction in favour of the petitioner and that the subject matter is purely a matter of civil nature and the police have no concern in that matter and that they are not entitled to interfere in a matter of civil nature and pressurize the petitioner to compromise and withdraw the civil suit.

5. Having given earnest consideration to the facts and submissions, this Court is of the considered view that in view of the rival contentions, this writ petition can be closed giving a direction to the police concerned to complete the investigation in case in Crime No.309 of 2017, as expeditiously as possible, and file a report and also giving a direction to the petitioner to co-operate with the

investigation agency whenever called by the Investigation Officer for the purpose of investigation.

6. Accordingly, the Writ Petition is closed with a direction to the 4th respondent – Station House Officer, Peddapalli Police Station, Peddapalli District, to complete the investigation, as expeditiously as possible, in case in Crime No.309 of 2017 and file a final report, by following the procedure established by law; however, the petitioner herein is also directed to co-operate with the said Police Officer during the course of investigation into the said crime whenever requisitioned, by following the procedure established by law. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.



M.SEETHARAMA MURTI, J

Date: 19th March, 2018

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