

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9720 of 2018

ORDER:

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

“For the reasons stated in the accompanying affidavit, the petitioner prays that the Hon’ble Court may pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, to direct the 4th respondent to issue Certificate that the Cr.No.41/2016 registered on 18.02.2016 against the petitioners as false, based on the report of the 2nd respondent in C.No.12144/G2/2017, dt.20.09.2017 and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

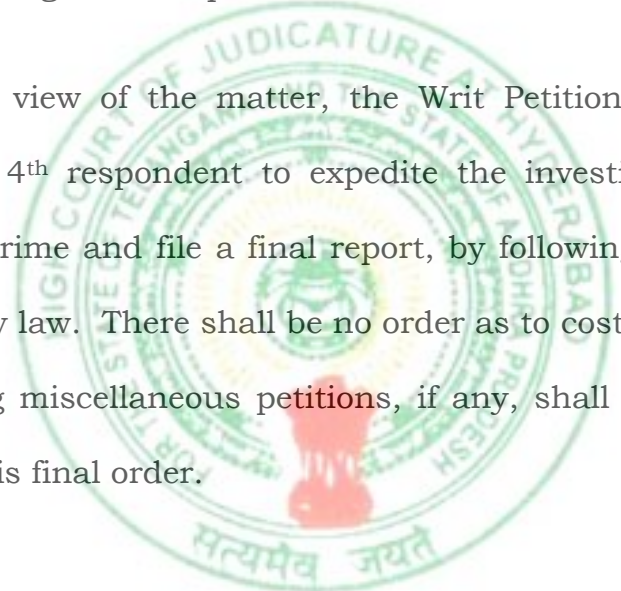
2. I have heard the submissions of Sri *K.Ramakoteswara Rao*, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (A.P.) appearing for the respondents 1 to 4. I have perused the material record.

3. At the hearing, learned counsel for the petitioners, while referring to the contents of the writ petition, would mainly submit as follows: - ‘The investigation into case in Crime No.41 of 2016, on the file of the Dachepalli Police Station, Guntur District, is completed. The Investigating Officer has come to an opinion that the case is a false case and that there are no grounds to file a charge sheet. The said fact is evident from the letter, dated 20.09.2017, addressed by the Superintendent of Police, Guntur District, to the Grievance Redressal Cell, Chief Minister Camp Office, Amaravathi, Guntur District. Despite such opinion arrived at by the Investigating Officer, the petitioners are still being called to the Police Station and they are being subjected to harassment. Hence, the present writ petition is filed.’

4. Learned Government Pleader for Home, on instructions, would submit that the informant, who lodged the report with the police, is no other than the father of some of the petitioners and that the parties to the *lis* are closely related and that after some progress was made in the investigation, there is a change of the Investigating Officer and that the Investigating Officer, who has newly taken over the investigation, is further investigating into the matter and that in view of the close relationship and the peculiarity of the case being investigated into, he requires some more time for finalizing the opinion and filing a final report.

5. In that view of the matter, the Writ Petition is disposed of directing the 4th respondent to expedite the investigation into the afore-stated crime and file a final report, 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: 23rd March, 2018

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