

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.9945 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner complaining against the inaction in regard to registration of the crime against the 5th respondent by the Station House Officer, Punjagutta Police Station, Hyderabad, i.e., the 4th respondent, pursuant to the report, dated 16.04.2017, lodged by the petitioner with the said Police Station.

2. I have heard the submissions of Sri *Praveen Kumar Veerjala*, 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. At the hearing, learned counsel for the petitioner would submit that if a direction is given to the Police Officer concerned to register the crime and take up investigation, the ends of justice would be met.

4. Learned Government Pleader for Home, on written instructions, a copy of which is placed on record, would submit that the dispute between the petitioner and the 5th respondent is purely civil in nature and that instead of approaching a civil Court or the Municipal Corporation of Hyderabad for redressal, the petitioner filed this present writ petition with false and baseless allegations and that against the petitioner two crimes, viz., a case in Crime No.806 of 2016, for the offence punishable under Section 341 of Indian Penal Code and a case in Crime No.329 of 2017, for

the offence punishable under Section 107 of the Code of Criminal Procedure, 1973, are registered and that in the first crime, charge sheet was filed and a Calender Case was taken on file in the Court of the learned X Special Munsif Magistrate, Hyderabad, and that in the second crime, the Special Executive Magistrate, Hyderabad, has obtained a bond for good behaviour from the petitioner. However, he fairly submits that on the report of the petitioner, no crime has been registered.

5. I have given earnest consideration to the facts and submissions.

6. The scope and merit of the statutory obligation of the police to register an F.I.R. on receipt of an application is no longer *res integra*. In a decision reported in **Lalita Kumari Vs. Government of Uttar Pradesh**¹, the Supreme Court summarised the law and gave necessary guidelines.

7. In the light of the settled legal position in the afore-stated decision, the Writ Petition is disposed of directing the Police Officer concerned to act in accordance with the guidelines in the afore-stated decision of the Supreme Court and take suitable action in the matter expeditiously. 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: 3rd April, 2018

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¹ (2014) 2 SCC 1

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