

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.11429 OF 2018

ORDER:

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

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the Respondents authorities in calling us to the Police Station and also visiting the residence of the Petitioner’s and harassing the Petitioners and using abusive language against the Petitioners as illegal, arbitrary, unconstitutional and against the principles of natural justice and consequently direct the Respondent authorities not to call the Petitioners and not to harass them without any involvement of the Petitioners in any type of offences.”

2. I have heard the submissions of Sri M.Saleem, learned counsel for the petitioners, and of the learned Government Pleader for Home (TG), appearing for the respondents. I have perused the material record.

3. At the hearing, learned counsel for the petitioners submits that their son – Mohd.Tohfiq Alam, aged 25 years, left their house, on 05.02.2018, without informing them; that since then, his whereabouts are not known; that on their report, a case in Crime No.122 of 2018, was registered, on 07.02.2018, by the Station House Officer, Mailardevpally Police Station, for ‘Man Missing’; that after registration of the said crime, the petitioners are being called constantly to the police station; and, that they are being harassed by the police; therefore, the present writ petition is filed.

4. Learned Government Pleader for Home, on oral instructions, would submit that on a report received by the police, Sangam Vihar Police Station, a crime was registered for missing of two girls; that in that connection, as the son of the petitioners was one of the suspects, the petitioners were obviously called by the said police of Delhi for interrogation; that the local police have nothing to do with the said other crime and interrogation, if any, done in the said case; that the allegations in the writ petition are false and, that the same are invented to prevent any action being taken against the petitioners and their son in the event it is found their son is involved in any crime.

5. Learned counsel for the petitioners, in reply, would submit that if the above submissions of the learned Government Pleader are recorded and the writ petition is closed, the ends of justice would be met.

6. Recording the said submissions, the Writ Petition is closed directing respondent Nos.3 and 4 not to call the petitioners to the police station unless a crime is registered against them and that too, without following the procedure established by law. However, it is made clear that the petitioners shall cooperate with the police of Delhi in the event their presence is necessary for interrogation in the aforesaid crime registered by the police of Delhi. There shall be no order as to costs.

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

JUSTICE M.SEETHARAMA MURTI

Date: 20.04.2018
AMD



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