

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21183 OF 2018

ORDER:

This writ petition is filed challenging the action of the respondent Nos.3 and 4 in summoning petitioners 1 to 4 to police station without there being any complaint against them by any one, without issuing any notice to them and in threatening them of foisting false cases against them and also in directing them to settle the civil disputes with the third parties.

Learned counsel for the petitioners states that the respondent Nos.2 and 3 called the petitioners twice to the police station in the month of March, 2018 and confined them in the police station for half-a-day; and that only after filing of writ petition crime is registered against the petitioners on 12.05.2018.

Learned Assistant Government Pleader for Home produced written instructions stating that basing on the complaint of one D.Narasimhulu, a case in crime No.40/2018, dated 15.03.2018 was registered against some unknown persons for the offence of trespass under Sections 448, 427 IPC; that during the course of investigation of the said crime the names of the petitioners 1 to 3 were added as accused Nos.1 to 3 in the said crime; and that as part of investigation notices under Section 41-A Cr.P.C were also

issued to the petitioners on 12.05.2018. It is also stated that prior to the filing of this writ petition, the aforesaid case was registered without mentioning the names of the accused, but, in the subsequent investigation since it is found that petitioner Nos.1 to 3 were involved in the said crime, their names were added. It is further stated that except registration of the aforesaid crime and proceeding with the investigation, the respondents never harassed the petitioners nor summoned the petitioners to the police station; and that they never asked the petitioners to settle the civil dispute with the third parties as alleged.

Learned counsel for the petitioners disputes the same.

It is to be seen that the record produced by the learned Assistant Government Pleader goes to show that notices under Section 41-A were issued to the petitioners 1 to 3 and that as on today no crime is registered against respondent No.4 as there are no allegations against the 4th respondent.

In view of the aforesaid facts and circumstances and recording the submissions made by the learned Assistant Government Pleader, the writ petition is disposed of. It goes without saying that the respondent police shall not interfere with the life and liberty of the petitioners and also shall not pressurise the petitioners to settle their civil disputes with the third parties, except in accordance with law. However, this

order will not preclude the respondent police from investigating the offence. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

16.07.2018
t k.

