

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20127 of 2018

ORDER:

Aggrieved by the action of respondent No.2 in calling the petitioner to police station every alternative day and making him to sit in the station from morning to evening in connection with Cr.No.19 of 2017 without filing charge sheet for the past one year and interfering with his liberty, the present writ petition is filed.

Learned Assistant Government Pleader for Home produced written instructions stating that ten witnesses were examined and the petitioner was also issued notice under Section 41-A Cr.P.C. In pursuance to the orders passed by this Court in CrI.P.No.4245 of 2017 Investigating Officer also deputed two police constables viz., P.C.No.2418 and PC.588 to identify the accused and produce him for recording his statement. But the presence of accused who is the writ petitioner was not secured. It is also stated that the Investigating Officer issued notice under Section 91 Cr.P.C. to the Tahsildar, Kurichedu Mandal to submit the admitted signatures of the then Tahsildar, Kurichedu and Revenue Divisional Officer, Kandukuru. It is also stated that the writ petitioner is not co-operating with the investigating agency. If the writ petitioner submits his handwritings to the investigating agency and co-operate with the investigating agency, the Investigating Officer is ready to complete the investigation as expeditiously as possible subject to receipt of FSL reports.

Learned counsel for the petitioner says that the petitioner is willing to cooperate with the investigation and to give his signatures.

In view of the above facts and circumstances of the case, the writ petition is disposed of with a direction to the 2nd respondent to issue notice to the petitioner for being present as per day convenient to him for taking his signatures and on obtaining the same, the 2nd respondent shall file charge sheet as expeditiously as possible. It goes without saying that the petitioner cannot be harassed under the guise of investigation. The petitioner shall approach the Investigating Officer within two days from the date of receipt of a copy of this order and he shall cooperate with the investigating agency and the 2nd respondent shall obtain his signatures for the purpose of investigation in accordance with law.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

25-06-2018
Nvl





