

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.20846 OF 2018

ORDER:

This writ petition is filed declaring the action of the Police authorities in repeatedly calling, harassing and threatening the petitioners without registering any crime against them.

Heard learned counsel for the petitioners who submits that the respondents have no power to issue notice to the petitioners.

Learned Assistant Government Pleader for Home produced written instructions stating that the 6th respondent made complaint dated 18.04.2018 against petitioners 1 and 3 and basing on same, the respondents issued notice dated 06.06.2018 to the petitioners to attend the enquiry on 15.06.2018 and also called over phone to attend the enquiry, but the petitioners 1 and 3 did not turn up for enquiry either on 15.06.2018 or on any subsequent date. It is also stated that the petitioners were never confined in the police station nor threatened to settle the disputes with the 6th respondent.

Learned counsel for unofficial respondent seeks time for filing counter.

In this case it is stated by the respondent police that they called the petitioners only for the purpose of inquiry. In

view of the same, the writ petition is disposed of leaving it open to the respondent police to take action on the complaint made by the 6th respondent dated 18.04.2018 by following the guidelines of the Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh (2014) 2 SCC 1***. Since there is no complaint against petitioner No.2, the 2nd petitioner shall not be called to the police station. If his presence is required the same shall be in accordance with law. The presence of other petitioners (petitioners 1 & 3) shall also be to the extent necessary in the complaint of the 6th respondent. It goes without saying that the respondent police shall not harass the petitioners on the guise of investigation.

Accordingly, the writ petition is disposed of. 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

09.07.2018

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