

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.21346 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking a writ of mandamus declaring the action of the 4th respondent in calling the petitioner to his Police Station frequently and harassing her without following the procedure established by law as illegal, arbitrary and violative of the provisions of the Constitution of India and principles of natural justice.

2. I have heard the submissions of Sri *T.Tejeswara Rao*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana) appearing for the respondents 1 to 5. I have perused the material record.

3. Learned counsel for the petitioner submitted as follows: 'The father of the petitioner was against the marriage of the petitioner with Mirza Salman Baig. After one year of their matrimonial life, by suppressing the fact of marriage, the petitioner's father lodged a false report against the husband of the petitioner before the Station House Officer, Humayun Nagar Police Station-4th respondent. The same was registered as case in Crime No.195 of 2015, under Sections 363, 342 & 376 of IPC and Section 8 of Protection of Children from Sexual Offences Act, 2012. The said crime was tried as Sessions Case in S.C.P.C.No.46 of 2016; and, after full-fledged trial, the said case ended in acquittal by judgment, dated 19.05.2018. Thereafter, out of grudge, the petitioner's father approached the 4th respondent by lodging another false false report

stating that the husband of the petitioner has wrongfully confined the petitioner. On the basis of the said false report, even though no crime has been registered against the petitioner, the petitioner is being continuously called to the Police Station and harassed by the Police Officer.

4. Learned Government Pleader for Home, on written instructions, dated 25.06.2018, a copy of which is placed on record, would submit that one Mohammed Shareef Shahid, who is the father of the petitioner herein, approached the Police of Humayun Nagar Police Station, Hyderabad, and lodged a report, on 15.06.2018, stating that her daughter Asma Shareef Shahid, aged about 20 years, was missing since 13.06.2018 evening and her whereabouts are not known and that she was kidnapped by one Mirza Salman Baig, aged about 22 years and that upon receipt of the said report, an entry was made in the General Diary of the Police Station, on 15.06.2018, and that necessary action would be taken after conducting enquiry.

5. Having regard to the submissions, the Writ Petition is disposed of directing the 4th respondent Police Officer not to call the petitioner to the Police Station unless her presence is necessary in connection with the preliminary enquiry related to the above said complaint. There shall be no order as to costs.

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

M.SEETHARAMA MURTI, J

Date: 26th June, 2018

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