

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.21881 OF 2018

ORDER:

This writ petition is filed challenging the action of the respondents in summoning the petitioner to the Kakinada II Town Police Station and thereby compelling him to compromise the case with 5th respondent, without following due process of law.

Heard learned counsel for the petitioner.

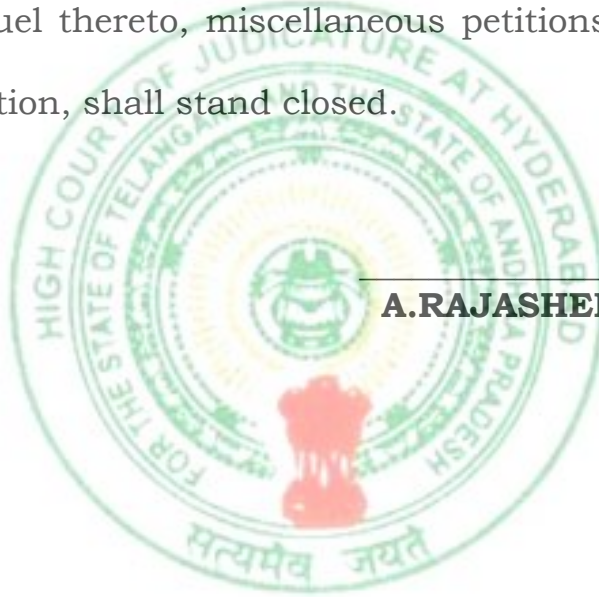
Learned Assistant Government Pleader for Home produced written instructions denying the allegation that the 4th respondent has called the petitioner to the police station on 21.06.2018, 22.06.2018 and 23.06.2018. It is also stated that basing on the complaint of the 5th respondent dated 17.11.2017 a case in crime No.250/2017 dated 17.11.2017 was registered against the petitioner and seven others under Section 420 and 506 r/w.34 IPC; that investigation is pending for examination of the petitioner and some others; and that the respondent police will issue notice under Section 41A Cr.P.C. on the petitioner for further examination. He further submits that the respondent police never compelled the petitioner to compromise with the 5th respondent and never asked the petitioner to bring his wife and children to police station and spoke in harsh and filthy language.

It is to be seen that under the guise of investigation police cannot harass the petitioner and direct the petitioner to settle civil matter with the 5th respondent.

In view of the same the writ petition is disposed of directing the respondent police not to harass the petitioner and direct him to settle the civil dispute with the 5th respondent. However, this order will not preclude the respondent police from investigating the offence in accordance with law. No order as to costs.

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

05.07.2018
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A.RAJASHEKER REDDY, J