

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

W.P. No.813 of 2016

ORDER:

This Writ Petition is filed, under Article 226 of the Constitution of India, seeking a direction to the police not to call the petitioner to the police station and threatening him to settle the civil disputes with the unofficial respondents 6 and 8.

2) Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home appearing for respondent Nos.1 to 5.

3) The petitioner has filed an affidavit mainly stating that with regard to some civil disputes, police have called the petitioner to the police station for several times and pressurizing him to settle the matter with respondents 6 to 8. The petitioner except mentioning the civil disputes between the petitioner and respondents 6 to 8 in general, there is no mention of specific instances of filing of any civil suits or taking any action on civil side against the respondents 6 to 8 vis-à-vis. The petitioner has also not stated in the entire affidavit as to the specific instances of the police calling the petitioner to the police station and directing him to settle the matter with respondents 6 to 8. The police constables have been coming to his residence and have been virtually whisking him to the station to subject to third degree methods and further threatened to implicate him in false cases. But no specific instances or date is mentioned in the entire affidavit.

4) Learned Assistant Government Pleader for Home submits that the respondent No.7 has lodged the complaint against the petitioner before the Station House Officer, Kruthivenju Police Station, Krishna District and it was registered as crime No.124 of 2015 for the offences punishable under Sections 506, 454, 448 read with Section 34 IPC and respondent No.1 has obtained permission from the Sub-Divisional Police Officer, Bandar Sub Division vide C.No.26/Ref/SDO-M/2016, dated 28.02.2016 to refer the case as Civil in nature.

5) Having regard to the facts and circumstances of the case, keeping in view of the nature of the allegations made in the petition and as there are no specific instances of police calling the petitioner to the police station, there are no merits in this writ petition. Therefore, the Writ Petition is dismissed. However, giving liberty to the petitioner to file a fresh writ petition with all specific instances whenever the police harass the petitioner. No order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this appeal shall stand closed.

GUDISEVA SHYAM PRASAD, J

19.04.2018.
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