

HON' BLE Dr. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.2744 of 2017

ORDER:

Heard the learned counsel for the petitioners and the learned Govt. Pleader for Home for respondents and perused the prayer in the writ petition with the supporting affidavit and other material on record.

The prayer in the writ petition reads as follows:-

“to issue a Writ or Order or Direction or especially writ of mandamus declaring the action of the Respondents herein in harassing the Petitioners to compel the Petitioner No 5 to compromise the civil dispute with the Respondents of I P No 42 of 2016 pending on the file of the learned Addl Judge Small Causes Courts at Hyderabad as highly illegal and arbitrary and to pass”

The averments in the supporting affidavit are that the respondents unnecessarily calling the petitioners and harassing by interfering with the civil dispute.

The counter affidavit of the 2nd respondent-SHO Team-VII, CCS, Hyderabad is that Cr.No.267/ 2016 is pending for the alleged offence of cheating to a tune of Rs.83,84,239/- by the writ petitioners for the offences punishable under Sections 420,406 r/w 34 IPC and the CCS police are investigating the same and for the purpose of investigation whenever requires they call the petitioners, thereby the averments in the writ petition are not true much less any basis.

In view of the same, the writ petition itself is disposed of by directing the respondents not to interfere with any civil dispute and so far as the investigation of the present crime is concerned, they are not entitled to investigate the case and file final report and for the purpose of investigation can call the petitioners by following the due process of law including for any arrest requires.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

20.04.2018
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