

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.33870 OF 2018

ORDER :

When the matter is taken up, written instructions, dated 24.09.2018, furnished by the Sub Inspector of Police, Muvalavanipalem Police Station, Visakhapatnam City, are placed on record by the learned Government Pleader. The said instructions, to the extent of their relevance to the present Writ Petition, read as under:

"It is submitted that the complainant has filed a petition before the Additional Chief Metropolitan Magistrate, Visakhapatnam, which was referred to M.V.Palem P.S. to register a case. The facts of the case are that since August, 2013 the complainant was doing business of trading registered office D.No.2-4D-45/2/4, Flat NO.105, Sai Tirumala Residency, Sector-VI, MVP Colony, Visakhapatnam City as his business purpose was for transporting material he was approached by accused No. 1 to 6 and others for old tripper lorry's and they cheated him by taking Rs.65,00,000/- and handed over him condemned vehicles of Odisha registrations and violated MOU between complainant and accused persons. On that a case in CrNo.450/2017, U/s. 420, 468, 471 r/w 120 (B), 34 IPC, & 156 (3) Cr.P.C was registered at M.V.Palem P.S., on 4.11.2017.

It is submitted that during the course of investigation the investigation officer examined the complainant/petitioner and recorded their detailed statements, prepared Sec. 91 & 160 Cr.P.C notices to alleged accused in this case i.e. A-1 to A-6 with a request to attended before the undersigned along with connected documents to prove the allegations against them for the purpose of investigation by duly deploying PC 1573 to Hyderabad, and obtained acknowledgements of A-1 & A-3 for the purpose of investigation. That the accused A-4 Lakshmi Singh approached the Honourable Metropolitan Sessions Judge-cum-I Additional District Judge, Visakhapatnam and file a petition for grant of anticipatory bail vide Crl.M.P.No.1341, dated 12.06.2018. Accordingly, the Honourable Sessions Judge granted bail to the accused A4 dated 29.06.2018. Then, A1 & A3 approached the Honourable Sessions Judge vide Crl.M.P.No.2006/18, dated 14.09.2018, seeking anticipatory bail, the same is pending in the Court.

It is submitted that the investigation officer also served a notice U/s.91 Cr.P.C. Notice to the complainant on 19.09.2018 with a request to provide any documents/agreements regarding this case. The case is pending for examination of some more witnesses, some more documents which are related to the offence has to collected from the complainant/petitioner. That after examining the witnesses and collecting the documents from the

complainant/petitioner, final report will be filed before concerned Court within a period of three months”.

Having regard to the above instructions, this Court deems it appropriate to dispose of the Writ Petition with a direction to the respondent authorities to complete the investigation, as expeditiously as possible, and file a final report.

Accordingly, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

23rd October, 2018
Tsy

A.V.SESHA SAI, J

