

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.35254 of 2018

ORDER:

When the matter is taken up, written instructions dated 24.09.2018 furnished by the Assistant Commissioner of Police, Godavarikhani, Peddapalli District are placed on record by the learned Government Pleader for Home.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“One Mr.Shankar/3rd Respondent herein has approached the Commissioner of Police, Ramagundam and submitted a representation dated 8-9-2018 requesting to initiate action against Mr.K.Ganesh and his supporter Smt.Krishnaveni as he has taken Rs.40 lakhs from him and given cheques which was bounced in the banks for making cinemas.

Upon receipt of the said representation, the Commissioner of Police, Ramagundam, enclosed it and forwarded it to this Respondent office for necessary action.

I have carefully gone through the contents in the representation of the complainant which clearly appears that it is purely civil in nature relating to money transaction and immediately advised the complainant/3rd Respondent to seek his redressal in a competent court of law.

It is pertinent to submit that it is a fact that to know the veracity in the contents of the representation of the complainant/3rd Respondent (whether it is genuine or false) this Respondent tried to contract the petitioner. He did not turned up till date but he filed the present writ petition with false and untenable allegations.

It is humbly submitted that the dispute of the complainant/3rd Respondent herein as well as the petitioner herein is purely civil in nature relating to money transaction, except advising the complainant to seek his redressal in a competent court of law, no action whatsoever was taken on the said representation dated 8-9-2018 till date.

It is submitted that the allegation of the petitioner that the 3rd Respondent is highly influential person and is harassing in all possible ways with the aid of the police persons is false and hence denied.

It is submitted that the allegations of the petitioner that the 3rd Respondent now started harassing him through this Respondent though no case is filed against him before this Respondent and that this Respondent is day in and day out calling him to the office of this Respondent and asking him to settle the issue with the 3rd Respondent and he informed this Respondent that already case is filed and he is contesting the matters before the concerned courts, this Respondent is pressuring him to settle the issue with the 3rd Respondent else this Respondent would book him in false criminal cases and this Respondent is acting arbitrarily under the influence and behest of the 3rd Respondent herein and further allegation that this Respondent calling him to his office and making him to sit for hours together at the behest of the Respondent are absolutely false, baseless and invented for the purpose of filing the present writ petition.

It is pertinent to submit that to prevent the police from taking any action in the event of lodging of any complaint against him in future and having bore grudge against the 3rd Respondent, the petitioner made false and frivolous allegations against this Respondent. At any point of time, this Respondent never summoned the petitioner nor ask him to settle the matter with the 3rd Respondent or ask him to sit in the office for hours together as alleged.”

It is submitted that there has been a civil dispute between the petitioner and the Respondent Nos.4 and 5 herein in respect of the financial transactions.

It is submitted that the Respondents 4 and 5 have not approached the 3rd Respondent police station or made any complaint against the petitioner herein in respect of the above said alleged civil dispute between the petitioner and the Respondents 4 and 5 herein. Therefore, the allegations of the petitioner that at the instance of the Respondents 4 and 5, the 3rd Respondent is calling the petitioner to the police station compelling him to hand over signed blank cheques and signed blank promissory notes in favour of the Respondents 4 and 5

herein, are absolutely false, baseless and hereby specifically denied.

It is further submitted that pursuant to filing of this writ petitioner, the petitioner has approached the 3rd Respondent police station on 27-09-2018 and given the written explanation stating that on receipt of phone calls from the third parties, the petitioner filed this writ petition, whereas the 3rd Respondent police station have not called him to the police station nor send any police personnel to him.

It is reiterated that the 3rd Respondent has never harassed the petitioner by calling him to the police station, by sending the constables or by calling on phone at the instance of the Respondents 4 and 5 herein forcing the petitioner herein to handover blank signed cheque and promissory note in favour of the Respondents 4 and 5 herein.”

On noticing the above instructions, a request is made by the learned counsel for the petitioner to place the said instructions on record and dispose of the writ petition.

Accordingly, the writ petition is disposed of by placing on record the written instructions dated 24.09.2018 furnished by the Assistant Commissioner of Police, Godavarikhani, Peddapalli District. There shall be no order as to costs.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed.

JUSTICE A.V.SESHA SAI

Date :24.10.2018
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