

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34839 of 2018

ORDER:

When the matter is taken up, written instructions dated 01.10.2018 furnished by the Sub-Inspector of Police, Gachibowli Police Station, Cyberabad 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:

“Initially the Cr.No.961/2013 for the offences U/s. 419, 420, 427, 447, 468, 471 IPC was registered on the file of Madhapur Police Station, Cyberabad. After bifurcation, the FIR was transferred to the Gachibowli Police Station on 12.10.2015 and the investigating officer recorded the statements of the complainant and another.

The sum and substance of the complaint are that the petitioner is the General Power of Attorney holder of one Jack Rajeev Dubey in respect of the land under Sy.No.205 plt Nos.277 and 278-B, situate at Sriramnagar colony, Kondapur. The wife of the said Dubey taken bank loan in the name of M/s.Prakriti Naturla Dayes and Prints from bank of India Vasivinagar Br.Secunderabad and submitted original property papers and mortgaged with the bank and still the documents are with the said bank. An agreement was executed between the complainant and said Dubey. When the complainant and said Dubey. When the complainant visited the said land, he noticed that some unknown persons created forged documents and trespassed into the said land.

It is submitted that the investigating officer filed a petition before the Hon'ble XXV Metropolitan Magistrate, Kukatpally on 04.01.2018, praying the Hon'ble Court to issue summons to the land lord Jack Rajeev Dubey and obtain specimen signatures and thumb impression in the open court for sending the same to Forensic Science Laboratory, Hyderabad who is notarized General Power of Attorney holder to the complainant and the said petition is pending.

The investigating officer deputed Police Constable-5379 to apprehend the trespassers in the said land, but the deputed staff reported that he tried his level best, but invain. However sincere efforts are continued to detect the real culprits/accused.

It is submitted that due to transferrig of the investigating officers in this case, the investigation could not be finalized. However, the present investigating officer taking sincere effort for finalizing the investigation.

It is submitted that after obtaining permission from the Hon'ble XXV Metropolitan Magistrate, Kukatpally for sending the specimen signatures of the said Dubey to sen the same to Forensic Science Laboratory, Hyderabad, the investigation will be finalized. The investigating officer assures this Hon'ble Court that the investigation will be finalized and an appropriate report will be filed before the concerned Hon'ble Court as expeditiously as possible."

Having regard to the written instructions and taking into consideration the submissions of the learned counsel for the petitioner and the learned Government Pleader for Home, this Court deems it appropriate to dispose of the writ petition by placing on record the above said instructions.

Accordingly, the writ petition is disposed of by placing on record the written instructions dated 01.10.2018 furnished by the Sub-Inspector of Police, Gachibowli Police Station, Cyberabad with a further direction to respondents to complete the investigation as expeditiously as possible. 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 :23.10.2018
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