

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.34938 of 2018

ORDER:

When the matter is taken up, written instructions dated 27.09.2018 furnished by the Sub-Inspector of Police, Dundigal Police Station, Cyberabad Commissionerate 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:

“On a complaint of the petitioner herein lodged with the police of Dundigal Police Station, Cyberabad, a case in Cr.No.86/2018 U/secs.420, 468, 471 IPC dated 21.2.2018 was registered against Mr. Peddy Reddy and others and investigation was taken up.

During the course of investigation, the investigation officer examined as many as six (7) witnesses including the petitioner/complainant and recorded their detailed statements.

Prisoners Transit Warrant was filed before the Hon'ble Court of VI Metropolitan Magistrate, at Medchal on 26.2.2018 to regularize the accused A1 to A4 in the present case in Cr.No.86/2018 (since they were already arrested in connection with Cr.No.85/2018 U/secs. 468, 471, 420 IPC on the file of Bachupalli Police Station, Cyberabad and Central Prison at Cherlapally).

While the investigation is under progress, the petitioner/complainant has submitted a petition to the Hon'ble Chairman, SC/ST Commission, Hyderabad requesting to include Sec.3 (1)(x) of SC/ST (POA) Act, 1989 apart from the existing Sections of Law i.e., 420, 468, 471, 506 IPC. In turn, the Hon'ble Chairman SC/ST Commission, Hyderabad addressed the Commissioner of Police, Cyberabad to consider the request of the petitioner herein.

Accordingly, the investigation officer, addressed a letter dated 24.9.2018 to the Commissioner of Police, Cyberabad requesting him to appoint the investigation officer to investigate the present case on hand. The same is pending consideration.

As soon as the orders are received, the further investigation will be taken up the Assistant Commissioner of Police Division, Pet Basheerabad.

It is pertinent to submit that the averments made in the affidavit are the subject matter of investigation in Cr.No.86/2018 dt. 21.2.2018, for which, a detailed investigation is going on. The orders of the Commissioner of Police, Cyberabad is awaited.

As soon as the orders are received from the Commissioner of Police, Cyberabad, the concerned Assistant Commissioner of Police has taken up the present case on hand.

It is humbly submitted that the request of the petitioner was considered by the respondent police to include the provisions of SC/ST (POA) Act apart from the existing Section of Law i.e., 420, 468, 471 IPC.

The investigation will be completed as expeditiously as possible and an appropriate report U/sec.173 Cr.P.C. will be filed before the concerned Hon'ble Court at the earliest.

At present the investigation in the present case on hand is going to be taken up by the concerned Assistant Commissioner of Police and conduct further investigation into the case. I humbly submit that the delay in completing the investigation is neither willful nor wanton."

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 27.09.2018 furnished by the Sub-Inspector of Police, Dundigal Police Station, Cyberabad Commissionerate. 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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