

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

WRIT PETITION No.36170 OF 2018

ORDER :

When the matter is taken up, written instructions, dated 04.10.2018, furnished by the Station House Officer, Asifnagar Station, Hyderabad, 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 petitioner herein has given a report with PS, Asifnagar, Hyderabad stating that pursuant to the newspaper advertisement given by one Ms.Alisha Binzalia, Managing Director of Kingdom of Universe Office, Mehdipatnam, Hyderabad regarding a job opportunity abroad, he met her and she assured to send him to Japan on work permit visa. On that he paid Rs.9.00 lakhs and handed over original passport and original pan card. Upon her saying, he went to Delhi on 15.7.2016 and her associate Mr.Rajesh met him. In Delhi, Rajesh took Rs.80,000/- from him stating that he will arrange Japan currency. Mr.Rajesh gave him a Chinese visa copy in Delhi hotel room and asked him to come to Delhi International Airport next day where he promised to hand over Japanese currency, his passport duly stamped with Japanese work permit visa and flight tickets. On the next day he went to Airport, but Rajesh was not found. Later, he realized that he was cheated. After waiting for him in Delhi for few days, on 23.7.2016 he returned to Hyderabad and met Ms.Alisha Binzalia. His frequent visits to her went invain. He requested to take necessary action in the matter.

It is submitted that based on the above report, a case in Cr.No.71/2018 u/s 420, 406 IPC, dated 17.4.2018 was registered and took up for investigation. The petitioner and L.W.2 were examined and recorded their

detailed statements. During the course of investigation, the Anticipatory Bail petition vide CrI.M.P.No.1284/2018 filed by the accused Alisha Binzalia before the Court of Hon'ble IX MSJ, at Hyderabad was received and upon filing counter, the same was dismissed on 10.15.2018. Thereafter, the police tried to serve notice u/s 41 (A) Cr.P.C to the accused but the accused office was locked and not available. Therefore, the notice was sent by post to the accused on 5.6.2018. After that, the accused filed CrI.P.No.8013/2018 before the Hon'ble High Court to direct the SHO, Asifnagar PS, Hyderabad to release her on bail in the event of her arrest in Cr.No.71/2018 on the file of SHO, Asifnagar PS, Hyderabad. The Hon'ble High Court allowed the Criminal Petition granting anticipatory bail to the accused, subject to certain conditions and the accused is complying with the bail conditions.

It is submitted that the investigation in the above crime is completed and the Asifnagar Police are taking necessary steps for filing charge sheet within a short period. Therefore the allegation that the Asifnagar police are not conducting investigation in the crime is not correct and hereby denied”.

By placing on record the above written instructions, Writ Petition is disposed of, with a further direction to the third respondent herein to file a final report as expeditiously as possible. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

A.V.SESHA SAI, J

24th October, 2018
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