

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

WRIT PETITION No.37753 OF 2018

ORDER :

Heard learned counsel for the petitioner and the learned Government Pleader for Home, apart from perusing the entire material on record.

When the matter is taken up, written instructions, dated 13.10.2018, furnished by the Sub Inspector of Police, Miyapur Police Station, Cyberabad, 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:

"The facts of the case are that the respondent No.4 Meeta Sateesh lodged a complaint on 26.08.2018 with the respondent No.3, stating that the petitioner and her husband running Saloon in the name of INNOGUE at Mayuri nagar and offered to sell the said Saloon for total consideration of Rs.4,50,000/-.Accordingly the petitioner entered into mutual agreement with the complainant on 16.05.2018 and the complainant paid Rs.2,80,000/- to the petitioner. The petitioner did not provide any document with regard to the said Saloon and threatened the complainant.

It is submitted that basing on the complaint of the respondent No.4, a case was registered in Cr.No.758/2018 dated 26.08.2018 for the offences U/s. 420, 506 IPC against the petitioner and her husband on the file of respondent No.3 and investigation has been taken up and the investigation is under progress.

It is submitted that except registering the FIR No. 758/2018 against the petitioner and her husband, the 3rd respondent did not harass the petitioner by calling her to the Police Station at any point of time.

It is submitted that the petitioner contended that the staff of the 3rd respondent police along with the 4th respondent came to the house of the petitioner on 27.8.2018 and threatened the petitioner and her husband to give back the amount to the 4th respondent is incorrect. The petitioner further contended that the staff of the 3rd respondent taken statement from the petitioner forcibly that he took the amount from the 4th respondent and the said staff threatened the petitioner and her husband to attend the Police Station on 2.9.2018 is incorrect. In this connection it is submitted that the 3rd respondent or staff never harassed or threatened the petitioner or her husband to pay the alleged amount to the 4th respondent at any point of time.

It is submitted that the contention of the petitioner that the staff of the 3rd respondent threatened the petitioner to return back the amount to the 4th respondent or else the police will sent her to jail is incorrect and baseless.

It is submitted that the petitioner contended that there is no case registered against her and her husband is incorrect and baseless. The petitioner and her husband involved as A-1 and A-2 in Cr.No.758/2018 dated 26.08.2018 for the offences U/s. 420. 506 IPC on the file of respondent No.3.

It is submitted that the petitioner and her husband is required for the purpose of investigation in FIR No.758/2018. The 3rd respondent deputed staff to the house of petitioner to serve notice U/s.41-A Cr.P.C. but she and her husband evaded to receive notices U/s.41-A Cr.P.C. and not cooperating with the investigating agency.

It is submitted that the petitioner and her husband being the accused instead of approaching the 3rd respondent, filed the present Writ Petition with baseless allegations”.

By placing on record the above written instructions, Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

26th October, 2018
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A.V.SESHA SAI, J