

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

W.P.No.37947 of 2018

ORDER:

When the matter is taken up for hearing, the written instructions dated 26.10.2018 furnished by the Station House Officer, L.B.Nagar Police Station are placed on record by the learned Government Pleader.

The instructions dated 26.10.2018 read as under :-

“It is submitted that the petitioner has filed a private complaint before the Court of Hon'ble II Metropolitan Magistrate, Rangareddy District at L.B.Nagar against 1)P.Mallesha, 2) P.Mangamma, 3) G.Deepika and 4) P.Sai Kumar Yadav stating that, she is the absolute owner and possessor of open plot bearing No.45 admeasuring 126 sq. yards situated in Sy.No.9/ 1/L, Sris Road, L.B.Nagar Circle, Saroornagar Village & Mandal, Rangareddy District, having purchased the same from its lawful owner for valid sale consideration under a notarized Agreement of Sale dated 04.06.2014 and later she has constructed compound wall around and is in peaceful possession and enjoyment of the same. While so, the accused without any manner of right interfered with her possession. Thereupon she instituted a civil suit O.S.No.1259 of 2015 on the file of the Hon'ble II Additional Senior Civil Judge, Rangareddy District. The accused filed counter along with some documents. Later, on verification of the documents, she came to know that the documents filed are forged and fabricated only to grab her property, the said documents were brought into existence. Having come to know of the forgery, collusion and fabrication of documents, she filed private complaint.

It is submitted that on reference from the Hon'ble Court, L.B.Nagar Police have registered a case in Crime No.1320/ 2016 for the offence u/s 420, 467, 468, 471, 477, 511, 120-B r/w 34 IPC, dated 23.11.2016 and took up for investigation. During the course of investigation, the petitioner and other witnesses were examined and recorded their statement and collected the

related documents. The accused were issued notices to produce their evidence. They stated that they are not in possession of the plot documents and filed the same into the Hon'ble Court in a civil case. In this regard, the Police have taken necessary steps for obtaining the documents from the Court of Hon'ble II Additional Sessions Judge, L.B.Nagar in O.S.No.1259/ 2015 and to submit the same to the Forensic Science Laboratory, Hyderabad for ascertaining the fact as to whether they are forged documents or not.

It is submitted that, after eliciting said information, appropriate report will be filed before the concerned Court in the above mentioned Crime. There is no delay on the part of the Police in conducting investigation. The investigation is pending because of the above said reason, but not as alleged by the petitioner. It is submitted that the above writ petition is devoid of any merits and it is liable to be dismissed.”.

By placing the above instructions on record, the writ petition is disposed of with a further direction to the respondent police authorities to expedite the investigation and file final report as expeditiously as possible. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

A.V.SESHA SAI, J

Date: 09.11.2018
Prv





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



W.P.No.30332 of 2018

24.08.2018

Prv