

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

WRIT PETITION NO. 38106 OF 2018

ORDER:

When the matter is taken up, learned GP has placed before this Court, the written instructions dated.10-10-2018 furnished by the Assistant Commissioner of Police, Falaknuma Division, Hyderabad. The said instructions read as under:

“It is submitted that after communication of the Writ Petition, the 5th respondent Assistant Commissioner of Police, Falaknuma Division, enquired into the representation of the petitioner dated 19.10.2018 and after enquiry with the respondents 6 and 7 and as per the available records, the written instructions are being filed in the Hon'ble Court.

It is submitted that the 8th respondent Bushi Reddy lodged a complaint on 13.10.2018 with the Station House Officer, Chandrayangutta Police Station, Hyderabad, wherein he stated that the husband of the petitioner Yousuf and others trespassed and tried to evict the inmates of the complainant from the premises of the complainant 8th respondent bearing Door No.19-4-14/1/6 situated at Bandlaguda, Hyderabad and threatened with dire consequences. Basing on the complaint of the 8th respondent, a case was registered as Cr.No.320/2018 dated 13.10.2018 for the offences U/s. 448, 427, 506 r/w 34 IPC against the husband of the petitioner Yousuf and others on the file of Chandrayangutta Police Station, Hyderabad and

investigation has been taken up by the Sub Inspector of Police. During the course of investigation, three (3) witnesses have been examined and recorded their detailed statements.

It is submitted that the Accused No.1 (husband of the petitioner Yousuf) surrendered before the Hon'ble Chief Metropolitan Magistrate, Hyderabad on 22.10.2018 and he enlarged on bail on the same day. It is submitted that Notices U/s. 41-A Cr.P.C. were served on the other accused on 13.10.2018. The investigation conducted so far it is revealed that the accused trespassed into the house of the complainant and threatened with dire consequences. The investigation is under progress.

It is submitted that the petitioner with a malafide intention made the Inspector of Police, Chandrayangutta Police Station, Hyderabad in personal capacity as respondent No.7.

It is submitted that the Sub-Inspector of Police being the investigating officer conducting the investigation in the above FIR in an impartial and sincere manner and there is no foul play in it and the Inspector of Police is monitoring the investigation only and they discharging their legitimate duties and did not interfere with the life and liberty of the petitioner and her family members at any point of time. The husband of the petitioner is A-1 in the above FIR. A-1 instead of cooperating with the investigating agency, arranged to file the present Writ Petition through his wife.

It is submitted that the 5th respondent enquiry revealed that the allegation of the petitioner that the

respondents 6 and 7 Inspector of Police, Chandrayangutta Police Station and other respondents harassed and interfered with the life and liberty of the petitioner by sending staff at her residence is incorrect, baseless, far from truth and has been created for the purpose of filing the present Writ Petition.

It is submitted that the petitioner contended that the police harassed the petitioner and her family members at the instigation of the respondents 8 to 10 is incorrect and baseless. It is submitted that the respondents police did not harass, threatened or interfered with the life and liberty of the petitioner and her family members at any point of time as alleged by the petitioner herein.

As stated above, the 5th respondent Assistant Commissioner of Police, Falaknuma Division had enquired into the representation of the petitioner dated 19.10.2018 against the Chandrayangutta Police and revealed that the Chandrayangutta police did not harass, threatened or interfered with the life and liberty of the petitioner. The petitioner submitted false representation.”

Having regard to the above instructions, this Court deems it appropriate to dispose of the writ petition by placing on record the above instructions with a further direction to the respondent authorities to act strictly in accordance with law.

The Writ Petition is accordingly disposed of.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

A.V.SESHA SAI ,J

Date: 13.12.2018

KPM

