

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.38667 of 2018

ORDER:-

When the matter is taken up, the counter affidavit filed on behalf of R.1 to R.4, dated 13.11.2018, is placed on record by the learned Government Pleader. Paragraph Nos. 5 and 7 of the said counter affidavit read as under:-

“It is submitted that the allegation of the petitioner that the respondents 3 and 4 have been harassing the petitioner to settle the civil disputes with the 5th respondent under threat of registering a false criminal case against the petitioner similar to one already registered in Cr.No.23/2018 by the 3rd respondent at the respondents No.4 and 5, is factually not correct, since Cr.No.224/2018 was already registered on 16.10.2018, whereas the present Writ Petition is filed on 25.10.2018. In fact, the petitioner has suppressed the material fact of registration of Cr.No.224/2018 dated 16.10.2018 against him and filed the present Writ Petition by making all false and baseless allegations against the respondents, which are hereby specifically denied.

It is submitted that all the allegations of the petitioner in para 5 of the affidavit are not correct. The allegation that the 5th respondent in collusion with the 4th respondent lodged a complaint before the 3rd respondent, wherein the 3rd respondent/S.I. is harassing the petitioner to appear before the 4th respondent and demanding him to settle the matter, is absolutely false and baseless. It is absolutely false to allege that on 22.10.2018, the 4th respondent has called the petitioner to Kakinada Rural P.S., and demanded him for payment of Rs.5 lakhs to the 4th respondent, threatened him with registration of

several other crimes against the petitioner, in addition to Cr.No.23/2018, dated 17.01.2018, on the file of the 3rd respondent. As stated supra, Cr.No.224/2018 under Section 307 I.P.C. was already registered on 16.10.2018, i.e., much before 22.10.2018. In fact, all the allegations of the petitioner in this regard are false, suppressing the material facts borne on record.”

Having regard to the contents of the above paragraphs, this Court deems it appropriate to dispose of the Writ Petition, by placing on record the above contents in paragraph Nos.5 and 7, with a further direction to the respondent-police authorities to act strictly in accordance with law.

Miscellaneous petitions pending, if any, shall stand disposed of. There shall be no order as to costs.

Date: 10.12.2018
smr

A.V.Sesha Sai, J

