

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39412 of 2018

ORDER:-

A counter affidavit deposed by the Sub-Divisional Police Officer, Bapatla, is filed on behalf of respondents No.1 to 5. Paragraph Nos.4 and 5 of the said counter affidavit read as follows:-

“It is submitted that during the course of investigation, the Investigating Officer has so far examined as many as (2) witnesses and recorded their statements. Apart from that, the Investigating Officer has also obtained necessary material documents from the concerned departments. It is further submitted that in the investigation conducted so far, including considering the wound certificate and enquiry thereon, the prima facie case is not yet established against the accused. The further action in the crime is dependent upon the further investigation and outcome of the investigation, which is in progress. Therefore, the contention of the petitioner that the investigation is not being conducted and the accused are not arrested, is not tenable.

It is submitted that the Investigating Officer has been conducting investigation in a fair and impartial manner and after completion of the same, an appropriate final report under Section 173 Cr.P.C. will be filed before the concerned jurisdictional Court, without any delay. Therefore, all the allegations of the petitioner against the investigation in Cr.No.153/2018, dated 03.10.2018, are totally false, baseless. All other allegations of the petitioner against the respondent police authorities are incorrect, untenable and hereby denied.”

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.4 and 5,

with a further direction to the respondent-police authorities to complete the investigation, as expeditiously as possible, strictly in accordance with law, and file a final report.

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

A.V.Sesha Sai, J

Date: 30.11.2018
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