

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

W.P.No.40305 of 2018

ORDER:

When the matter is taken up for hearing, the written instructions dated 08.11.2018 furnished by the Station House Officer, Rayadurgam Police Station are placed on record by the learned Government Pleader.

The instructions dated 08.11.2018 read as under :-

On a complaint of the petitioner herein lodged with the police of Raidurgam Police Station, Cyberabad Commissionerate, a case in Cr.No.429/ 2018 U/ secs.420, 468, 471, 504, 506 IPC dated 09.08.2018 was registered against Mr.Shaik Hussain Imroz and others and taken up the investigation into the case.

During the course of investigation, the investigation officer examined the complainant/petitioner and recorded his detailed statement.

Notice U/ sec.91/ 160 Cr.P.C. dated 10.08.2018 was issued to the petitioner/ complainant requesting him to produce the relevant witnesses and relevant documentary evidence in support of his version.

Notice U/ sec.41(A) Cr.P.C. dated 13.08.2018 was also issued to all the accused in the FIR directing them to submit their explanation to the contents in the FIR.

The explanations of the accused are awaited.

It is submitted that as part of investigation into the case, on 17.09.2018 a requisition was filed before the Chief Executive Officer, Telangana State Wakf Board, Haj House, Nampally, Hyderabad requesting him to furnish the factual report in respect of Jame-e-Masjid, Anjaiah Nagar, Gachibowli by deputing authorized personnel to inspect the premises physically and requested to furnish the relevant certified copies of the documents to enable the investigating agency to proceed with further course of action into the case.

A copy of the letter dated 17.09.2018 addressed to the Chief Executive Officer, Telangana State Wakf Board, Nampally,

Hyderabad is annexed to this written instructions for the kind perusal of this Hon'ble Court.

The reply from the Chief Executive Officer, State Wakf Board, Hyderabad, is awaited.

It is submitted that the investigation is pending for want of examination of some more witnesses and for collection of material evidence to establish the offences against the accused in the FIR.

It is pertinent to submit that fair and impartial investigation is going on. Prima facie case is yet to be established against the accused.

It is also pertinent to submit that the averments made in the affidavit are the subject matter of investigation in Cr.No.429/2018 for which, a detailed investigation is under progress. To complete the full-fledged investigation into the case, it requires some more time to the investigating agency.

Under these facts and circumstances, it is prayed that this Hon'ble Court may be pleased to grant some more time to the investigating agency for completion of the investigation and for filing appropriate report either way before the concerned Hon'ble Court and to pass such other order or orders as it may deem fit and proper in the interests of justice."

By placing the above instructions on record, the writ petition is disposed of with a further direction to the respondent police authorities to complete 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