

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.40906 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Assistant Commissioner of Police, Falaknuma Division, Hyderabad, are placed on record by the learned Government Pleader. The said instructions read as under:-

“It is submitted that the 10th respondent Bushi Reddy lodged a complaint on 13.10.2018 with the Station House Officer, Chandrayanagutta Police Station, Hyderabad, wherein he stated that the petitioner Yousuf and others trespassed and tried to evict the inmates of the complainant from the premises of the complainant 10th respondent bearing Door No.19-4-14/1/6, situated at Bandlaguda, Hyderabad, and threatened with dire consequences. Basing on the complaint of the 10th respondent, a case was registered as Cr.No.320/2018, dated 13.10.2018, for the offences under Sections 448, 427 and 506 r/w 34 I.P.C., against the petitioner Yousuf and others on the file of Chandrayanagutta Police Station, Hyderabad, and investigation has been taken up by the Sub-Inspector of Police, Hyderabad. During the course of investigation three (3) witnesses have been examined and recorded their detailed statements.

It is submitted that the accused No.1 (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 under Section 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, Chandrayanagutta

Police Station, Hyderabad, in personal capacity as respondent No.9.

It is submitted that the Sub-Inspector of Police being the Investigating Officer conducting the investigation in the above F.I.R. in an impartial and sincere manner and there is no foul play in it and the Inspector of Police 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 petitioner is A.1 in the above F.I.R. A.1 instead of cooperating with the investigating agency, arranged to file the present Writ Petition.

It is submitted that the 5th respondent enquiry revealed that the allegation of the petitioner that the respondents 6 and 9 Inspector of Police, Chandrayanagutta Police Station and other respondents harassed and interfered with the life and liberty of the petitioner by sending staff at his 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 his family members at the instigation of the respondents No.10 to 12 is incorrect and baseless. It is submitted that the respondents police did not harass, threaten 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 12.11.2018, against the Chandrayanagutta police and revealed that the Chandrayanagutta police did not harass, threaten or interfered with the life and liberty of the petitioner. The petitioner submitted false representation.”

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Assistant Commissioner of Police, Falaknuma Division, Hyderabad, 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.

A.V.Sesha Sai, J

Date: 28.11.2018
smr

