

HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.42455 of 2018

ORDER:-

When the matter is taken up, the written instructions furnished by the Sub-Inspector of Police, I-Town Police Station, Siddipet, dated 14.12.2018, are placed on record by the learned Government Pleader. The said instructions read as under:-

“On a complaint of Sri Shanagala Santho/7th respondent herein lodged with the Police of I-Town Police Station, Siddipet, a case in Cr.No.317/2017 under Section 324 r/w 34 I.P.C., dated 22.11.2017 was registered against the petitioner herein and his wife as they beat him regarding portion of the house property bearing H.No.9-3-64, situated at Mohinpur, Siddipet Town and investigated into.

The investigation was completed. After completion of the full-fledged investigation into the case, appropriate charge sheet was also filed against the petitioner and his wife before the Hon'ble Court of Judicial Magistrate of First Class at Siddipet and the same was taken on file vide C.C.No.122/2017. The petitioner and his wife are facing trial in the above Calendar Case.

While the matter stood thus, again on a complaint of Sri Shanagala Santhosh/7th respondent herein, lodged with the Police of I-Town Police Station, Siddipet, a case in Cr.No.115/2018 under Sections 120-B, 420, 416, 417, 181, 182, 209, 211, 504 and 506 I.P.C., dated 22.04.2018 was registered against the petitioner herein and his wife as the petitioner abused him, threatened him to kill regarding portion of the house property bearing H.No.9-3-64 situated at Mohinpur, Siddipet Town and investigated into.

The investigation was completed. After completion of the full-fledged investigation into the case, appropriate charge sheet was also filed against the petitioner and his wife before the Hon'ble Court of Judicial Magistrate of First Class at Siddipet and the same was taken on file vide C.C.No.99/2018. The petitioner and his wife are facing trial in the above Calendar Case.

A suo-motto case vide Cr.No.27/2018 under Section 107 Cr.P.C., dated 07.02.2018 was also registered on the file of the I-Town Police Station, Siddipet, against both parties i.e., the petitioner herein and 7th respondent herein as both parties are creating nuisance over the subject property in question and a report was filed before the Hon'ble

Additional District Magistrate, Siddipet, Commissioner of Police, Siddipet, requesting him to bind over the parties to keep good behaviour.

Charge sheets in the above cases are annexed to this written instructions for the kind perusal of this Hon'ble Court.

It is submitted that except registration of the above mentioned two cases and conducting the investigation and proceeding with the investigation into the case as contemplated and under and filed appropriate charge sheets against the petitioner and his wife before the concerned Hon'ble Court, this respondent Police more particularly 4 and 5 respondents herein never interfered with the civil rights of the petitioner herein.

It is pertinent to submit that in the investigation of the cases, it is clearly disclosed that A.1 and A.2 petitioner and his wife Smt.Vanisri are frequently threatening the complainant/7th respondent to occupy the subject house property in question by killing them and provoking him by using vulgar language.

There is ample evidence adduced during the course of investigation that the petitioner herein and his wife committed the offences mentioned in the F.I.R.s beyond all reasonable doubt.

Basing on the material evidence on record, the investigating agency filed appropriate charge sheets against the petitioner herein and his wife.

It is pertinent to submit that the 7th respondent/complainant is none other than the son of the brother of the petitioner herein.

It is submitted that the allegation of the petitioner that the 7th respondent lodged false complaints against him before the Police authorities and that the 7th respondent has got high influence in Siddipet and the respondent No.4 and 5 have been acting as per the whims and fancies of the 7th respondent due to political pressure is absolutely false, baseless and hence denied.

It is submitted that the allegation of the petitioner that inspite of several complaints, the petitioner has been bearing all the troubles, but recently the respondents 4 and 5 have been calling the petitioner to their offices and have been directing him to settle the matter with the respondent No.7 and the petitioner is made to wait in the offence of the 4th and 5th respondents for longer hours is utterly false, baseless and hence denied.

It is submitted that the allegation of the petitioner that he apprehends danger to his life and limb at the hands of the 7th respondent under the active influence of the respondents 4 and 5 is also false and hence denied.

It is pertinent to submit that due to bore grudge at his uncle/7th respondent/complainant on whose complaints, the above cases were registered against the petitioner and filed respective charge

sheets against him, the petitioner made false and baseless allegations against this respondent and hence the same are denied.

It is also pertinent to submit that both parties i.e., the petitioner herein and 7th respondent herein are claiming rights and title over the subject house of the petitioner herein and that on the complaints of the 7th respondent herein, the above mentioned cases were registered against the petitioner herein and his wife.

To settle his personal scores with his uncle/7th respondent/complainant, the petitioner made false and baseless allegations against this respondent Police. I submit that at any point of time, the respondent Nos.4 and 5 never summoned the petitioner to their respective offices or asked him to settle the matter with the 7th respondent herein.

In view of the above facts and circumstances, it is prayed that this Hon'ble Court may be pleased to dismiss the Writ Petition and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice."

Accordingly, the Writ Petition is disposed of, by placing on record the said instructions furnished by the Sub-Inspector of Police, I-Town Police Station, Siddipet, dated 14.12.2018, with a further direction to the respondent-Police authorities not to interfere with the civil disputes unless the same is permissible 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:17.12.2018
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