HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.45154 of 2017

ORDER:

Heard Sri K.Sarvabhouma Rao for petitioner and the Assistant Government Pleader for Home.

The petitioner prays for the following relief :-

> "…. to issue an appropriate writ, direction or order more particularly one in the nature of Writ of Mandamus declaring the action of respondents directing the petitioner's to produce his crane named Hydra Bearing No.AP 31 BP 9699 before the SHO, Pendurthi Station on the unfounded and unbelievable complaint of theft of the same lodged by his sister, the 4th respondent herein in spite of the fact that the said crane was transferred to the petitioner's name more than two years back to the conscious knowledge of the 4th respondent, who lodged such a false complaint after a series of civil cases between the petitioner and his sister the 4th respondent herein during which the question of crane was never stated as illegal….".

The petitioner in fact is aggrieved by notice, dated 13.12.2017 issued by the 1st respondent under Section 91 Cr.P.C.

The counsel for petitioner makes a statement of behalf of petitioner that the petitioner has no intention to dispose of vehicle bearing No.AP-31-BP-9699.

The Assistant Government Pleader submits that keeping in view the nature of vehicle, against which allegations of forgery etc., are made, the 1st respondent is prepared to issue fresh

notice without calling upon the petitioner to physically produce vehicle bearing No.AP-31-BP-9699.

Hence, the notice dated 13.12.2017 is set aside. The 1st respondent is given liberty to issue fresh notice, as is warranted, with regard to the present stage of investigation.

The writ petition is ordered accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 05-01-2018
Prv