

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.No.4899 of 2019

ORDER:

On 12.9.2018, petitioner lodged a complaint to the P.S. Uppal, alleging that one person by name Pathepuram Naveen promised to marry her, but later having regard to the social status of the petitioner as she belongs to SC Mala caste, the said person refused to marry the petitioner and insulted her in the name of her caste. The said complaint was registered as Crime No.872 of 2018 under Sections 354-D IPC, 3(1)(r)(s) of Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Thereafter, the Police investigated into the matter and filed charge sheet before the Special SC/ST Court, Ranga Reddy district. This writ petition is filed alleging that the investigation was not effectively and fairly conducted, vindicating the grievance of the petitioner against the accused.

2. It is the submission of the learned counsel for the petitioner that the statements of witnesses were not properly recorded and no call-data between the petitioner and the accused was collected and erroneously the name of A2 was deleted while filing the final report.

3. The learned Government Pleader, while reiterating the stand taken in the counter affidavit filed by the Assistant Commissioner of Police, Malkajgiri Division, submits that insofar as A2 is concerned, the offence against A2 has not established, hence the name of A2 was deleted and the same was also informed to the petitioner by serving notice, but the petitioner has not filed any objections to the said notice.

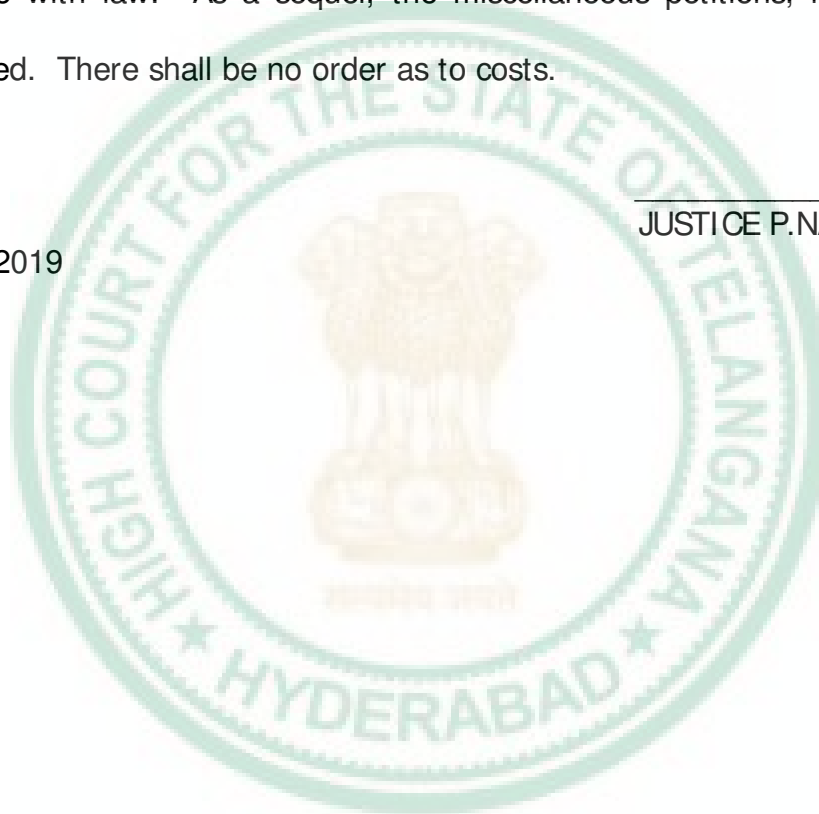
4. As can be seen from the material available, after filing of charge sheet, petitioner has not made any application for conducting further investigation on

the allegations now sought to be made before this Court by the learned counsel for petitioner. Insofar as deleting the name of A2 is concerned, this Court is not expressing any opinion on the said aspect.

5. However, the writ petition is disposed of, granting liberty to the petitioner to file her objections before the competent authority, pointing out the deficiencies in conducting investigation in the subject matter. It is needless to mention that if any such objections/application is made, the competent authority shall consider the same objectively and pass appropriate orders, in accordance with law. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

Date: 1.4.2019
DA

JUSTICE P.NAVEEN RAO



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