

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.5128 OF 2019

Date: 15.03.2019

Between:

B.Vijay Kumar, s/o. Emmanuel,
Aged about 48 years, occu:Business,
R/o.1-1-862, Siddhartha Nagar,
Kazipet, Warangal.

....Petitioner

and

Commissioner of Police,
Warangal Police, Commissionerate,
Warangal and others.

.....Respondents

The Court made the following:



HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.5128 OF 2019

ORDER:

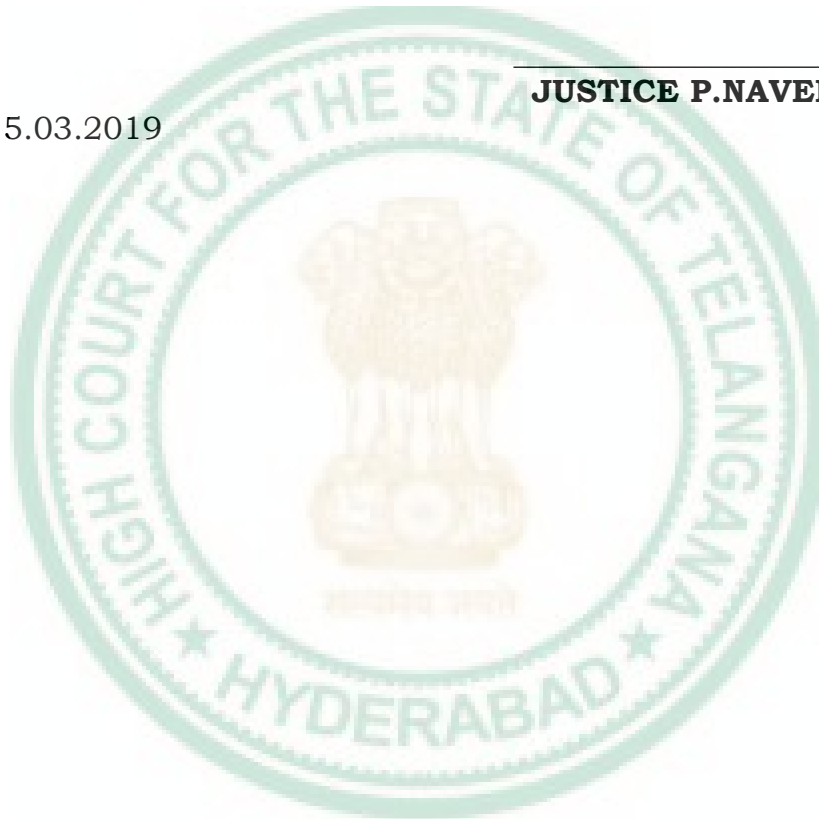
This writ petition is filed alleging that unofficial respondents 4 and 5 are not allowing the petitioner to offer prayers in BLM Baptist Church, Rehmath Nagar, Kazipet, depriving his freedom of religion and right to profess, practice and propagate religion of his choice, thereby infringing Article 25 of the Constitution of India.

2. Material on record would disclose that there is *inter se* dispute between the petitioner and unofficial respondents; that unofficial respondents instituted O.S.No.739 of 2014 on the file of II Additional Junior Civil Judge at Warangal, and obtained temporary injunction order on 30.06.2015 in I.A.No.1371 of 2014. Aggrieved by the injunction order, petitioner preferred CMA No.35 of 2015. The appellate Court dismissed the CMA No.35 of 2015 by order dated 23.12.2015. Thus injunction order is operating against the petitioner from interfering with the peaceful management and smooth running of the Church concerned. Petitioner earlier filed complaint with the Police. Based on the complaint, Crime No.96 of 2015 was registered on 20.05.2015. Police filed final report stating that it is civil dispute between the rival groups and, therefore, no further action is required to be done. According to the learned counsel for petitioner, petitioner has filed protest petition against the final report filed by the Police. Be that as it may, on the allegation of committing crime on 02.12.2018, which is cognizable offence, as alleged by the petitioner, no complaint is filed with the Police. Petitioner sought to contend that he dialled 100 number, and informed about the

incident, but the same is not registered by the Police. There is no material placed on record to show that such crime was reported. Be that as it may, as of now, no crime is reported before the Police as required by Section 154 of Cr.P.C. Therefore, it cannot be said that Police are negligent in registering the crime even though cognizable offence was reported. This Court cannot entertain and give directions. Writ Petition is dismissed, leaving it open to petitioner to work out his remedies as available in law. Pending miscellaneous petitions shall stand closed.

Date: 15.03.2019
kkm

JUSTICE P.NAVEEN RAO



HONOURABLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION NO.5128 OF 2019

Date: 15.03.2019

kkm