

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

W.P.No.7146 of 2019

ORDER:

Heard the learned counsel for petitioner and learned Government Pleader for Home, appearing for respondents.

2. Petitioner claims to be an employee of one Mr.M.A.Aziz, who claimed to be tenant of H.No.114-594/A, Bazar Ghat, Red Hills, Hyderabad. A civil litigation is pending over the subject property. A person by name Abdul Wahid Ali lodged complaint against one Wajid Mohiuddin and Asif Sayeed on the file of Banjara Hills Police Station, which was registered as Cr.No.348 of 2016 under Sections 468, 471, 420, 120B read with Section 34 IPC. In the said crime, notice under Section 91/160 of Cr.P.C. dated 25.3.2019 was issued to the petitioner, requesting the presence of the petitioner for examination and for production of related documents pertaining to the case. In response to the said notice, petitioner filed his explanation stating that he is only an employee, running hostel in the subject premises and he is no way concerned with the said crime. It is alleged that the police are interfering with the civil disputes under the pretext of the complaint.

3. The response given by the petitioner to the notice under Section 91/160 of Cr.P.C. is different from the issue on hand. Be that as it may, the learned Government Pleader, on instructions, submits that in the process of investigation, notice under Section 91/160 of Cr.P.C. was issued to the petitioner, but the police are not interfering with the civil disputes nor harassing the petitioner by calling him to the police station frequently.

4. This Court is not expressing any opinion on merits and litigation on the subject property. Prima facie, it appears that the petitioner is not accused in the

crime and in the process of investigation, if the statement of the petitioner is required, police should follow the procedure as required under law, but they cannot unnecessarily harass the petitioner by calling him to the police station.

5. With the above observation, the writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 15.4.2019
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