

HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.21936 OF 2013

ORDER (ORAL) :

The prayer in the writ petition is as under:

“...it is prayed that this Honorable High Court may be pleased to issue an appropriate writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in calling the petitioner to the Police Station i.e. SHO/C.I. of Police, Mancherial (Town) Police Station, Adilabad District without registering any crime against the petitioner is illegal, arbitrary, and violation of the principles of natural justice and consequently to direct the respondent No.1 not to call the petitioner to the Police Station...”

2. Heard Sri K. Buchi Babu, learned counsel for the petitioner, and learned Government Pleader for Home appearing for respondent No.1, and perused the material on record.

3. Respondent No.1 - Station House Officer, Mancherial (Town) Police Station, Adilabad District, filed a counter affidavit stating that respondent No.2, who is the wife of the petitioner, lodged a complaint against the petitioner on 29.03.2013 stating that her marriage took place with the petitioner in May, 1997, and after the marriage, he harassed her mentally and physically for additional dowry, and, therefore, requested to take necessary action against him. Based on her complaint, on 29.03.2013 itself, a case in Crime No.99 of 2013 was registered against the petitioner, arraigning him as

accused No.3, by respondent No.1 for the offences punishable under Section 498-A of Indian Penal Code, 1860, and Section 4 of Dowry Prohibition Act, 1961. It is further stated that during the course of investigation, respondent No.1 examined the witnesses and recorded detailed statements of respondent No.2 and other witnesses (four in number) and since all the witnesses corroborated the contents of First Information Report revealing commission of offences by the petitioner, as on the date of filing the counter affidavit, after completion of investigation, filed a charge-sheet before the learned Judicial Magistrate of First Class, Mancheri, and the same was numbered as C.C. No.25 of 2014. However, during the pendency of the calendar case, the petitioner and respondent No.2 have compromised the matter on 29.07.2016.

4. In the circumstances, this Court is of the opinion that there are no merits to entertain the writ petition and the same is liable to be closed.

5. Accordingly, the writ petition is closed. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition stand closed.

P. KESHAVA RAO, J

December 3, 2019.
PV