

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No. 10041 OF 2019

ORDER :

This writ petition is filed challenging the action of the respondents 3 to 6 in calling the petitioner to the police station by sending police constables to the house of the petitioner and harassing him day in and day out, without following due process of law.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Home produced written instructions dated 11.06.2018 furnished by the Sub Inspector of Police, Shahinayathgunj P.S., Hyderabad City.

To the extent of their relevance to the present writ petition, the said instructions read as under:

“It is respectfully submitted that on 09.04.2019 on Hanuman Das Daga, Secretary of Gyan Bagh Colony Welfare Society, Hyderabad, has given a complaint stating that one Raheem Bin Hussain is demanding money keeping the public fear and many of their Gyanbagh Colony residents while building their houses the said Raheem Been Hussain demanded money.

On receipt of above complaint, GD entry was made and preliminary enquiry was conducted. That after completion of preliminary enquiry, a case was registered in Crime No.94/2019, under Section 385, 506 IPC of Shahinayathgunj Police Station on 07.05.2019.

Further it is to submit that petitioner Raheem Bin Hussain is involved in other case vide Crime No.69/2017, U/s.384 IPC of Shahinayathgunju Police Station. In this case investigation is completed, charge sheet is filed, the case is pending trial.

With regard to allegations made by the petitioner that the respondent No.6 threatened him that he will book extortion cases and that he will be sent to jail by invoking provisions of P.D.Act is false and denied herewith, as the respondent No.6 never threatened to book cases against the petitioner.”

Learned Assistant Government Pleader for Home further submits that as the petitioner is not cooperating with the inquiry, the 5th respondent sent his staff to the house of petitioner to inform him to cooperate with the inquiry as a complaint was given against him.

It is to be seen that one more crime is also registered against the petitioner vide Crime No.69/2017, under Section 384 IPC. Obviously, the respondent police have to investigate the matter. The investigation in the crime cannot be treated as harassment by the police.

In view of the aforesaid facts and circumstances, by placing on record the written instructions produced by the learned Assistant Government Pleader for Home, the writ petition is disposed of. There shall be no order as to costs.

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

A.RAJASHEKER REDDY, J

13.06.2019

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