

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.20895 OF 2014

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader appearing for the respondents 1 to 4.

The prayer sought in the Writ Petition is as under:-

“...to issue an appropriate Writ, Order or Direction, more particularly one in the nature of writ of Mandamus, to declare the 4th respondent in frequently calling to the Police Station and harassing the petitioners to pay the penalty of an amount of Rs.3,00,000/- payable to the Container Corporation of India though there is no civil or criminal case pending against the petitioners is illegal, arbitrary, unjust, violation of principles of natural justice and violation of Articles 14, 15, 16 and 21 of the Constitution of India, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case, and consequently directing 4th respondent not to call the petitioners to the Police Station and not to harass the petitioners to pay the penalty an amount of Rs.3,00,000/- payable to the Container Corporation of India as it is of civil nature, and to pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.”

During the course of hearing, learned Government Pleader placed on record the written instructions dated 21.09.2019 issued by the Inspector of Police, II Town Police Station, Khammam and the same are made part of the record.

A perusal of the said written instructions would reveal that on the complaint lodged by one Rajendrakumar Sharma, a case

in Crime No.381 of 2014 for the offence under Section 420 of the Indian Penal Code was registered against the petitioners herein. The petitioners obtained anticipatory bail from this Court vide order dated 29.12.2014 in CrI.P.No.15889 of 2014. As per the directions of this Court, they have appeared before the Investigating Officer on 07.01.2015. On production of sufficient sureties, they were released on bail.

After investigation, the Investigating Officer has filed the final report against the petitioners on the file of the I Additional Judicial First Class Magistrate, Khammam. The learned Magistrate, after taking cognizance of the offences, numbered the same as C.C.No.225 of 2015. On contest, the said case ended in acquittal by judgment dated 12.11.2018. It is also stated that Contempt Case No.1383 of 2014 is still pending before this Court.

It is specifically mentioned in the affidavit that the petitioners were never called to the Police Station, II Town Police Station, Khammam and never pressurised to pay the amount of Rs.3,00,000/-.

In the light of the above said facts, this Court is of the opinion that no further cause would survive in the Writ Petition.

Accordingly, the Writ Petition is closed.

There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

(P.KESHA RAO, J)

23rd September 2019
RRB