

THE HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.25200 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. 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 action of the respondent no.4 in summoning the petitioner to the Police Station at the instance of the 5th respondent without there being any written complaint or case registered against him and thereby causing interference with his personal and liberty as illegal, arbitrary, violative of article 21 of Constitution of India and consequently direct the 4th respondent not to adopt any illegal, unlawful methods without following the due process of law, and to grant such other relief of reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. Learned Government Pleader appearing for respondent Nos.1 to 4 placed on record the written instructions, dated 03.09.2014, issued by the Sub Inspector of Police, Hanamkonda Police Station, Warangal District. From the perusal of the said written instructions, it is evident that the 5th respondent herein lodged a private complaint under Section 200 Cr.P.C. before the learned VI Additional Judicial First Class Magistrate Court and the same has been referred under Section 156(3) Cr.P.C. to the 4th respondent. Pursuant thereto, a case in Crime No.427 of 2014 for the offence under Section 420 IPC has been registered on 20.08.2014 against the petitioner on the file of the 4th respondent police. The sum and substance of the said complaint is

that the petitioner herein has cheated the complainant i.e., the 5th respondent, by saying optimistic words and that he provide employment to anybody in various departments with the help of one Swarupa, who was working in DRDA, and the petitioner has taken Rs.3,50,000/- from the 5th respondent-complainant with an assurance to provide a job to the son-in-law of the 5th respondent in Excise Department. It is also mentioned in the said written instructions that a representation, dated 28.08.2014, was submitted by the petitioner through post to the SDPO, Hanamkonda, against the 5th respondent and the same is also under enquiry.

4. In view of the above said written instructions, it is evident that there are disputes between the petitioner and the 5th respondent and crimes also have been registered against each other. Therefore, the allegations made by the petitioner that respondent No.4 is calling the petitioner to Police Station at the instance of the 5th respondent, without there being any written complaint or registered against him or causing interference with his life and liberty, is absolutely incorrect. As such, there are no merits in the writ petition and the same is liable to be dismissed.

5. Accordingly, the writ petition is dismissed.

As a sequel, miscellaneous petitions pending, if any, shall stand dismissed. No costs.

P. KESHAVA RAO, J

25th September 2019
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