

THE HONOURABLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.31189 OF 2013

ORDER:

There is no representation on behalf of the petitioner. Heard learned Government pleader for Home.

2. The prayer sought in the writ petition is as under :

“.....declaring the action of the respondent No.2 in harassing the petitioner by calling to the Police station without there being any crime registered against the Petitioner is illegal, arbitrary and against violative of article 14 and 21 of Constitution of India and consequently direct the Respondent Police not to harass the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

3. The 2nd respondent filed counter affidavit denying the averments made in the affidavit filed in support of the writ petition and contended inter alia that the 3rd respondent approached the 2nd respondent-police station and lodged a complaint stating that he completed B.Pharmacy and was searching for a job. Meanwhile, the petitioner came to his house and introduced himself by stating that he is working as police constable in ACB and he has lot of influence in A.P.Transco and assured the 3rd respondent to get a job in A.P.Transco as LDC and asked Rs.5,00,000/- for the job. On the said assurance, the 3rd respondent and his brother-in-law, gave Rs.2,50,000/- to the petitioner in the month of November, 2012. In the month of January, 2013, petitioner came to the house of 3rd respondent and informed that he was appointed as LDC in A.P.Transco and handed over Memo dated 03.01.2013 and also gave a identity card of the same asking him to join the job on 15.03.2013 and collected the remaining amount of Rs.2,50,000/-. However, at later point of

time, petitioner called the 3rd respondent and informed him that the said order of appointment was cancelled and he was avoiding the 3rd respondent on one pretext or the other. On 27.10.2013 when the 3rd respondent went to the house of petitioner and demanded the amount, petitioner abused him in filthy language and threatened him with dire consequences. Pursuant to the said complaint Crime No.395 of 2013 for the offences punishable under Sections 417, 420, 468, 471 and 406 of Indian Penal Code was registered on 30.10.2013 against the petitioner herein, as an accused on the file of 2nd respondent-police station. It is also further mentioned that the respondent-Police have not called the petitioner on 27.10.2013 and 28.10.2013 and never harassed him.

4. Though a detailed counter affidavit is filed, petitioner has not filed any reply affidavit by way of rebuttal.

5. In view of the above facts, this Court is of the opinion that no further cause would survive, in this writ petition.

6. Accordingly, the Writ Petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall also stand dismissed.

P.KESHAVA RAO,J

13th September, 2019
Rds

THE HON'BLE SRI JUSTICE P.KESHA RAO



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Dated:13.09.2019

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