

High Court for the State of Telangana

The Hon'ble The Chief Justice Raghvendra Singh Chauhan

and

The Hon'ble Sri Justice A. Abhishek Reddy

W.A. No. 852 of 2019

Date: 22-11-2019

Between:

Vaka Satyanarayana Reddy

...Appellant

And

The State of Telangana
Rep. by its Principal Secretary
Home Department, Secretariat Buildings
Hyderabad and 6 others

...Respondents

Counsel for the appellant:

Mr. Prashant Surepalli

Counsel for the respondents:

**Mr. Srikanth Reddy
GP for Home**

The Court made the following:

Judgment: (per Hon'ble The Chief Justice Raghvendra Singh Chauhan)

The appellant has challenged the legality of the order dated 01-11-2019, passed by the learned Single Judge, in W.P. No. 22773 of 2019.

By the aforesaid order, the learned Single Judge has closed the Writ Petition filed by the petitioner challenging the inaction on the part of respondent Nos. 3 and 4, the Deputy Superintendent of Police, Suryapet District, and the Inspector of Police, Kodad Town, respectively, in concluding the investigation in Crime No. 250 of 2019, which was registered on 31-07-2019.

The learned counsel for the respondents has relied on the case of **Ram Kishan Fauji vs State of Haryana**¹, in order to plead that an appeal under Clause 15 of the Letters Patent Act does not lie against an order passed by the learned Single Judge in exercise of his criminal jurisdiction. Since the impugned order has been passed by the learned Single Judge in exercise of his criminal jurisdiction, the present appeal would not even be maintainable.

¹ 2017 (5) SCC 533

Moreover, respondent Nos. 2 to 4 have clearly stated before the learned Single Judge that the investigation is pending. As soon as the investigation is completed, in case there is sufficient evidence against the alleged offenders, a chargesheet shall be filed against them. Therefore, the learned counsel for the respondent Nos. 2 to 4 has supported the impugned order.

On the other hand, the learned counsel for the appellant submits that the allegation against the alleged offenders is that they have forged certain documents. In judgment and decree dated 28-03-2019, passed by the learned Principal Junior Civil Judge at Kodad, in O.S. No. 66 of 2016, a finding was rendered by the learned civil Court that the document in question was, indeed, forged. Thus, there is sufficient evidence to proceed against the alleged offenders. However, the police is not proceeding fast enough against the alleged offenders. Therefore, the learned Single Judge is not justified in closing the case, instead of directing the police to complete the investigation as expeditiously as possible.

Heard the learned counsel for the parties.

Relying on the case of **Ram Kishan Fauji** (supra), in the case of **D. Vidyasagar Rao and others vs. State of Telangana**², this Court had upheld the preliminary objection raised by the respondents that an intra-court appeal under Clause 15 of the Letters Patent Act does not lie from an order passed by the learned Single Judge in his criminal jurisdiction. Therefore, the present appeal is not maintainable. Hence, it is, hereby, dismissed.

As a sequel, Miscellaneous Petitions, pending if any, stand disposed of as infructuous.

(Raghvendra Singh Chauhan, CJ)

(A. Abhishek Reddy, J)

Dt: 22nd November, 2019
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² WA.No. 714 of 2019 dated 28-08-2019