

HON'BLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.23734 of 2014

ORDER:

There is no representation for the petitioners.

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

"...this Hon'ble Court may be pleased to issue Writ or Order or Direction more particularly in the nature of Writ of Mandamus etc. declaring the illegal action of the Respondent No.1 in harassing the Petitioners by summoning the Petitioners to the P.S. Peddapally, Kareemnagar District as unconstitutional and against the principles of natural justice and pass such other order or orders as this Hon'ble Court may deems fit and proper in the circumstance of the case."

3. The respondent No.1 filed a counter affidavit denying the averments made in the affidavit filed in support of the writ petition and contended, *inter alia*, that one Basreen Sulthana, W.o. Md. Imran Ahme, R/o. Bhoomnagar, Peddapally Town, lodged a private complaint under Section 200 of the Criminal Procedure Code before the Judicial Magistrate of First Class, Peddapally against the petitioners herein and four others. Pursuant to the said complaint, a case in Cr.No.156 of 2014 for offences under Sections 498-A, 323 and 506 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act was registered on 03.07.2014 on the file of the first respondent police station and investigation was taken up.

4. The learned Government Pleader brought to the notice of this Court that after completion of investigation, a charge sheet was filed before the concerned Court. After taking cognizance of the offence, the same was taken on file in CC.No.420 of 2016, which is pending trial. As far as the allegation of the petitioners that the respondent No.1 is harassing them by summoning them to the police station is specifically denied. Except for the purpose of investigation in the above

said crime, the petitioners were not summoned to the police station. The present writ petition is filed to pressurize the investigating agency not to take any steps in the above said crime. The allegation of the petitioners that on 07.07.2014, the respondent No.1 harassed and abused them in filthy language and detained them in the police station and implicated them in false case is specifically denied.

5. In spite of filing of counter affidavit with specific averments, no reply affidavit is filed to rebut the averments made in the counter affidavit. Therefore, they are deemed to be admitted and binding on the petitioners. In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. As a sequel thereto, pending miscellaneous petitions, if any, shall stand dismissed. There shall be no order as to costs.

December 13, 2019
DSK

P. KESHAVA RAO, J