

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.6988 of 2014

ORDER:

Heard learned counsel for the petitioner as well as learned Government Pleader appearing for respondent Nos.1 to 3.

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 declaring the action of the 3rd respondent in not proceeding with the investigation in Cr.No.160/2013 though the said crime is registered on 16-11-2013 as being illegal, arbitrary and unconstitutional and consequently direct the respondents No.2 and 3 to complete the investigation and to file charge sheet before the concerned magistrate, and to grant such other relief or reliefs as this Hon’ble Court deems fit and proper in the circumstances of the case.”

3. During the course of hearing, learned Government Pleader placed on record the written instructions, dated 04.11.2019, issued by the Assistant Sub-Inspector of Police, Jagtial Rural Police Station, Jagtial District.

4. From the perusal of the said written instructions, it is revealed that during the course of investigation, witnesses were examined and their statements were recorded. After completion of investigation and as per the evidence of witnesses examined and evidence collected, it was disclosed that the matter is false in nature. After obtaining necessary permission from the higher officials, the case has been

referred as 'false' and copy of the notice was also served on the complainant. A final report was filed before the Judicial Magistrate of First Class, Jagtial, on 28.02.2015.

5. If the petitioner is not satisfied with the final report, the remedy that is available to the petitioner is by way of protest application before the very same Magistrate.

6. In that view of the matter, this Court is of the opinion that no further cause would survive in the writ petition.

7. Accordingly, the writ petition is closed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

5th October 2019

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P. KESHAVA RAO, J