

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.37844 OF 2018

Date: 14.03.2019

Between:

Kambam Sreedhar Babu, s/o. Venkaiah,
Aged about 48 years, occu: Agriculture,
R/o Mankhal village, Maheshwaram Mandal,
Ranga Reddy District.

....Petitioner

And

The Station House Officer,
Pahadishareef Police Station,
Rachakonda Commissionerate,
Ranga Reddy district and others.

.....Respondents

The Court made the following:



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ORDER:

This writ petition is filed aggrieved by registering separate FIR Nos.224/2017, 341/2017, 86/2018, 66/2018 and 168/2018 against petitioner based on the complaint made by the respondent nos.5 and 6, instead of merging the complaints and to conduct investigation as part of investigation in FIR No.224 of 2017 and sought for direction to conduct investigation in FIR No.224 of 2017.

2. This Writ Petition is filed contending that several crimes are registered flowing out of the property disputes and all the crimes reported after FIR No.224 of 2017 ought not to have been registered as independent crimes, and ought to have investigated as part of Crime No.224 of 2017.

3. Crime No.224 of 2017 was registered under Sections 447 and 427 of IPC in Maheshwaram Police Station on the allegation of criminally trespassed into the land to an extent of Ac.22.00 guntas in Sy.Nos.443, 446, 489, 490 and 491 of Mankhal village, and digging pond with a dishonest intention to grab the said land. Crime No.341 of 2017 was registered under Sections 447, 427 and 506 of IPC in Pahadishareef Police Station. It is alleged that petitioner was trying to encroach into the land and digging pond to an extent of Ac.30.00 guntas of land in Sy.Nos.489, 490 and 491 of Mankhal village. Crime No.86 of 2018 was registered under Sections 447, 427 & 379 of IPC in Pahadishareef Police Station on the allegation that petitioner criminally trespassed into the said

land and started digging the soil and selling soil to the brick kiln owners. Crime No.66 of 2018 was registered under Sections 447, 427, 506 read with Section 149 of IPC in Maheshwaram Police Station alleging that petitioner criminally trespassed into the land of *de facto* complainant, and damaged the Kadies and threatened him with dire consequences. Crime No.168 of 2018 was registered under Sections 447 and 379 IPC in Pahadisharief Police Station, wherein persons named in the complaint including the petitioner, alleging that illegally loading the soil from their land through JCB for commercial purpose without taking permission and, therefore, the same would amount to theft of soil from their land.

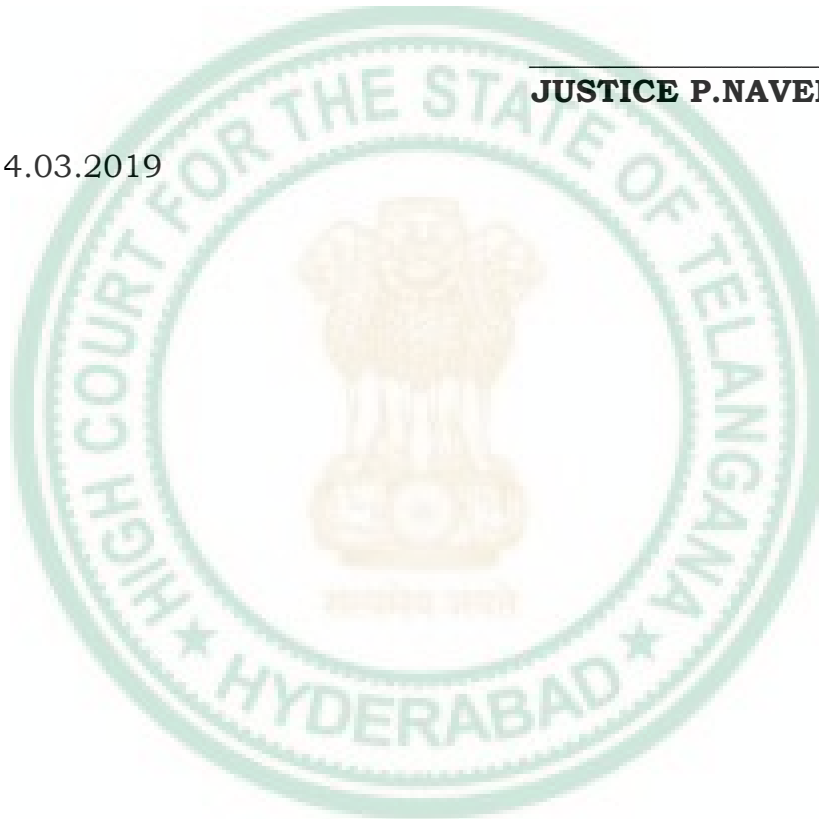
4. As briefly noted above, three crimes were registered in Pahadisharief Police Station and two crimes were registered in Maheshwaram Police Station.

5. Based on the written instructions and further instructions, the learned Government Pleader would submit that in Crime No.341 of 2017 charge sheet was filed, and V Additional Metropolitan Magistrate at L.B.Nagar took cognizance of offence alleged and registered as C.C.No.238 of 2019; in Crime No.86 of 2018 charge sheet was filed and Police are awaiting the assigning of CC number; in Crime No.224 of 2017, charge sheet was filed and XXVI Additional Metropolitan Magistrate at Maheshwaram took cognizance of the offence alleged and registered as C.C.No.112 of 2019; in Crime No.66 of 2018, charge sheet was filed in the Court of XXVI Additional Metropolitan Magistrate at Maheshwaram and the same is under scrutiny; in Crime No.168 of 2018 charge sheet was filed, and XIV Additional Metropolitan Magistrate at

L.B.Nagar, Ranga Reddy district took cognizance of the offence alleged and registered as C.C.No.439 of 2019. Thus, in all crimes already charge sheets were filed and in three cases Metropolitan Magistrate has taken cognizance of the offences. Therefore, as in these crimes investigation is already completed, the question of clubbing all the Crimes reported and conducting investigation as part of Crime No.224 of 2017 does not arise. Writ Petition is liable to be dismissed and is accordingly dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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