

THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.7597 OF 2014

ORDER:

There is no representation on behalf of the petitioner.

The prayer sought in the Writ Petition is as under:-

“...to pass an order, direction or a writ particularly in the nature of Writ of Mandamus declaring that the action on part of the respondent No.3 in harassing the petitioner by way of compelling his presence before him and forcing him to hand over all the original documents mentioned in Memorandum of compromise dated 12.02.2014, is illegal, arbitrary, unconstitutional, in violation of police manual and law settled by this Hon'ble Court. Consequently, this Hon'ble Court may be pleased to direct the respondent No.3 not to harass the petitioner by way of compelling him presence before him and hand over original documents mentioned in Memorandum of compromise dated 12.02.2014, unless a case is registered against him and pass any other order or orders as deemed fit and proper in the circumstance of the case in the interest of justice.”

Learned Government Pleader appearing for respondents 1 to 3 placed on record the written instructions dated 01.04.2014 issued by the Inspector of Police, Banjara Hills Police Station, Hyderabad.

On a perusal of the said proceedings, it is evident that on the complaint lodged by the petitioner herein against the fourth respondent, two cases in Crime Nos.70 of 2012 and 313 of 2014 were registered on the file of the Banjara Hills P.S. and investigation was taken up.

The main grievance of the complainant/petitioner was that the fourth respondent beat the petitioner and threatened with dire consequences. Thereafter, the fourth respondent herein filed a

private complaint under Section 200 of the Code of Criminal Procedure against the petitioner on the file of the III Additional Chief Metropolitan Magistrate, City Criminal Courts at Nampally, Hyderabad. On receipt of the said complaint, the Station House Officer, Banjara Hills P.S., registered a case in Crime No.957 of 2013 for the offences under Sections 420, 406, 506 and 384 of the Indian Penal Code on 17.11.2013 and investigation was taken up. The contention of the petitioner that no case was registered against him is not true and correct. The petitioner and the fourth respondent herein are required in connection with the above crimes registered against each other. However, after coming to know about registration of crime against him, the petitioner cleverly tried to escape from the criminal liability, rushed to this Court and filed this Writ Petition with all baseless and irrelevant allegations. It is also submitted that mere registration of crime against the petitioner and proceeding with investigation of cases as contemplated under law does not amount to harassment by the police.

In view of the above said facts and circumstances, there are no merits in the Writ Petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed.

There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand dismissed.

(P.KESHAVA RAO, J)

13th November 2019
RRB