

THE HON'BLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO.1064 OF 2020

ORDER:

This Writ Petition is filed questioning the action of the fifth respondent in threatening the petitioner with arrest in Crime No.1762 of 2019 and interfering in civil dispute, as illegal.

According to the petitioner, this Court made an order dated 08.01.2020 in Criminal Petition No.165 of 2020 directing the respondent-police to abide by the directions of the Supreme Court in **Arnesh Kumar v. State of Bihar and Another**¹. According to the petitioner, the police are not following the guidelines of the Hon'ble Supreme Court in the aforesaid judgment. Moreover, without following the said guidelines, the fifth respondent is threatening the petitioner to arrest.

On the other hand, learned Government Pleader for Home, on written instructions, submits that on receipt of the order dated 08.01.2020 in Criminal Petition No.165 of 2020, the fifth respondent called the petitioner to the Police Station on 12.01.2020 for the purpose of serving notice under Section 41-A of the Code of Criminal Procedure, and in fact, there is no threat of arrest as alleged by the petitioner.

The said written instructions are placed on record.

In view of the aforesaid reasons, the fifth respondent shall comply with the order dated 08.01.2020 in Criminal Petition No.165 of 2020 and the petitioner shall co-operate with the fifth respondent in completing the investigation.

With the above directions, this Writ Petition is disposed of.

¹ (2014)8 SCC 273

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

(K.LAKSHMAN, J)

17th January 2020
RRB

