

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.1960 OF 2020

ORDER:

This writ petition is filed to declare the action of respondents 4 and 5 in insisting the petitioners to appear before respondent No.3 police station and threatening to implicate in false cases at the behest of respondents 6 and 7 without following the due process of law, as illegal, arbitrary and without jurisdiction.

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Home for respondents 1 to 5.

3. Learned Assistant Government Pleader for Home, on written instructions dated 30.01.2020, a copy of which along with F.I.R is placed on record, submits that the sixth respondent made a complaint on 24.01.2020 wherein it is claimed that the second petitioner herein has sold plot bearing No.72 in Sy.No.200, situated at Srinivas Nagar Colony, Boduoppal to the sixth respondent without having a title thereto and received an amount of Rs.35,00,000/- and when the sixth respondent entered into the said plot after purchase, the actual owners came to the plot and obstructed the work. It is further stated that on receipt of the complaint, enquiry was made and during the enquiry the Station House Officer informed the petitioner to come to the police station for causing enquiry, but the petitioner did not approach the Station House Officer, as such, the complaint given by the sixth respondent was kept pending for causing enquiry, and since the sixth respondent made a further complaint on 29.01.2020, a case was registered in Cr.No.69/2020 under Sections 406, 420, 465, 471 and 468 I.P.C of Medipally Police Station on 29.01.2020 wherein the first petitioner herein is arrayed as accused No.3

and the second petitioner is arrayed as accused No.1 and is being investigated into in accordance with law.

4. Having regard to the fact that since a case is registered against the petitioners based on the complaint of the sixth respondent, the claim of the petitioners that the respondent police authorities are threatening to implicate the petitioners in false case is incorrect and cannot be accepted. The further claim of the petitioners that respondents 4 and 5 are insisting the petitioners to appear before respondent No.3 police station without following due process of law also cannot be accepted.

5. The writ petition is without merit and is accordingly dismissed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:31.01.2020
grk

