

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2692 of 2020

ORDER:

This writ petition is filed to declare the action of respondent No.5 in interfering in civil dispute and arbitrarily summoning the petitioner and his family members without following the due process of law, as illegal, arbitrary and unconstitutional.

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

3. Learned Assistant Government Pleader for Home, on written instructions dated 11.02.2020, a copy of which along with F.I.R is placed on record, submits that a complaint was received by the fifth respondent authority from one Seefwan-ul-Haq on 05.02.2020 wherein it is stated that the petitioner and others cheated the said person by forging the documents and threatened him with dire consequences. Pursuant to the said representation, the fifth respondent conducted enquiry and registered a case as Cr.No.92 of 2020 on 09.02.2020 for the offences under Sections 420, 468, 471 504 and 506 r/w 34 I.P.C. By the said written instructions, it is further stated that after receipt of the complaint by the fifth respondent authority on 05.02.2020, the fifth respondent summoned the petitioner for the purpose of enquiry, but the petitioner on coming to know of the complaint being lodged against him, has filed the present writ petition on 07.02.2020. Learned Assistant Government Pleader on the basis of the above written instructions would further submit that respondent No.5 except investigating into the crime registered against the petitioner never threatened the petitioner and his family members to

settle the alleged issue in favour of the complainant nor interfered or harassed the petitioner at any point of time.

4. Having regard to the said submissions made and since F.I.R is registered, no orders need be passed in the writ petition, except directing the respondent police authorities to investigate into the complaint in accordance with law.

5. Subject to the above, the writ petition is closed. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

Date:26.02.2020
grk

JUSTICE T.VINOD KUMAR

