

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.4364 of 2020

ORDER:

The present Writ Petition is filed questioning the inaction of respondents in registering the crime on the complaint of the petitioner dated 19.02.2020, as being arbitrary, illegal and in violation of Articles 14 and 21 of the Constitution of India.

2. Heard Sri D.L. Pandu, learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

3. Learned Assistant Government Pleader for Home, on written instructions dated 27.02.2020, submits that the petitioner has visited the 4th respondent authority on 17.02.2020 and filed a complaint stating that her only surviving daughter Kum. Samhitha Sri was kidnapped from Boji Reddy Womens College on 08.03.2018 and from that time onwards, her husband, father-in-law, her co-sister and other family members not allowing her to meet her daughter. Further, by the said complaint, it is also stated that on 17.02.2020 when the petitioner went to college to meet her daughter, the college authorities did not give permission, since her husband forced her daughter to give a letter to the college Principal not to allow her to meet. Hence, she requested for necessary action as per law and give protection to her daughter. It is stated by the said written instructions that, as in the complaint an allegation of kidnapping of petitioner's daughter on 08.03.2018 by involving her husband was made, a G.D. entry was made on 17.02.2020 itself at Saidabad Police Station for causing enquiry to take appropriate action. The respondent authorities have

thereafter deputed one Sri L. Venkateswarlu, Sub-Inspector of Police who visited Boji Reddy Engineering College on 18.02.2020 and caused enquiries with the college authorities as well as with the petitioner's daughter. During the said enquiry conducted by the said police authority in the presence of the Head of the Department of the EEE branch, it is revealed that the petitioner's daughter M. Samhita Sri was studying B.Tech 3rd year in the said college and on being enquired with regard to the allegation made by the petitioner in her complaint dated 17.02.2020, the petitioner's daughter denied the alleged kidnap by her father and further she has given a letter addressed to the Station House Officer, Saidabad stating that she is aged 19 years and major and she left from her mother's company on 08.03.2018 as she felt insecure and disturbance to her studies and living with her father and grandfather. Finally, she also stated that she is not interested in meeting her mother i.e., the petitioner herein and requested for protection from her. By the said written instructions, it is also stated that the deputed officer collected copies of bonafide certificate and SCC Memo from the college authorities to ascertain the age of the petitioner which revealed that the petitioner's daughter date of birth is 05.03.2000. Having regard to the enquiry conducted by the Sub-Inspector of Police who is deputed to investigate into the complaint made by the petitioner, revealed that there is no such alleged kidnap took place as per the statement of the daughter, and the matter appeared to be a family dispute. Thus, the daughter and the husband of the petitioner were summoned to the Saidabad Police Station on 22.02.2020 and were counselled in the presence of the petitioner, when the petitioner's

daughter agreed to meet the petitioner outside the college near Saibaba temple and has given undertaking to that effect.

4. Insofar as the complaint dated 19.02.2020 made to the Assistant Commissioner of Police is concerned, it is stated that since based on the complaint made by the petitioner on 17.02.2020, action has been taken by deputing a responsible officer of Sub-Inspector cadre and as the complaint made to the Assistant Commissioner of Police revealed the contents to be same as that of the complaint made on 17.02.2020, the petitioner was informed of the action taken on the basis of her complaint made on 17.02.2020 by calling the petitioner to police station on 24.02.2020 when a notice to the said effect was sought to be served on the petitioner. As the petitioner refused to take the same, but insisted for registration of FIR against her husband, having faced with the said situation, the 4th respondent sent the reply to the petitioner enclosing therewith undertakings / letter given by the petitioner's daughter through registered post vide registered cover bearing No.RN120747191IN dated 25.02.2020.

4. Having regard to the fact that a reply is now issued to the petitioner by the police authorities informing the petitioner of action taken on her complaint dated 17.02.2020, as noted hereinabove, enclosing therewith with the documents, the claim of the petitioner in the present Writ Petition that the respondent police are not registering a case based on her complaint dated 19.02.2020 of alleged kidnap of her daughter on 08.03.2018, on the face of it appears to be an after thought and cannot be gone into.

5. In view of the above, no further orders need be passed in the Writ Petition.

6. Accordingly, the Writ Petition is closed. No order as to costs.

7. As a sequel thereto, the miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date: 03.03.2020

MRKR

