

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

TUESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION NO: 18913 OF 2020

Between:

Vaddireddy Anthoni reddy, S/o Sheri Reddy, Aged about 66 yrs, Occ Retd Employee, R/o. D.No. 2-99/1/401, Abhitej Enclave, Chaitanyapuri, Hyderabad
...PETITIONER

AND

1. The Government of Telangana, rep by its, Principal Secretary, Home Department, Secretariat Buildings, Hyderabad
2. The Station House Officer, Gudipally, Nalgonda District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the 2nd Respondent in not conducting investigation in Cr.No. 111/2019, dt 01/07/2019 offence under section 143, 447, 427, 504, 506 R/w. 34 of IPC, on the file of 2nd respondent as being illegal arbitrary and unjust

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd Respondent to forthwith complete the investigation to file charge sheet in conducting investigation in Cr.No. 111/2019, dt 01.07.2019 office under sec.143,447,427,504, 506 R/w. 34 of IPC, on the file of 2nd respondent

Counsel for the Petitioner: SRI PRAVEEN KUMAR VEERJALA

Counsel for Respondents: AGP FOR HOME

The Court made the following: ORDER

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.18913 of 2020

ORDER:

Heard learned counsel for petitioner and learned Assistant Government Pleader for Home.

2. This writ petition is filed alleging that though on the crime reported by the petitioner, Crime No.111 of 2019 was registered on 01.07.2019 by the second respondent, so far, there is no progress in the investigation and on account of delay in conducting investigation, there is every possibility of accused getting away with the crime, even though crime was committed by them and there is no justification for the police in not conducting investigation and filing the final report.

3. It appears from the material on record, crime was registered on 01.07.2019. The only grievance of the petitioner is against delay in completing the investigation.

4. All these aspects were considered by this Court in WP.No. W.P.No.38397 of 2018 and batch in **Govind Raju Sami v. State of Telangana and Others**¹ and following the earlier judgments of Hon'ble Supreme Court, this Court held that appropriate remedy for a person aggrieved by delay in conducting investigation is also under the Code of Criminal Procedure and said provisions have to be availed before coming to this Court. In **M.Subramaniam and another v. S.Janaki and another**², the Hon'ble Supreme Court has reiterated the principle laid down in the earlier decisions.

¹ 2019 (3) ALT 139

² 2020 SCC online S.C. 341

5. Following the said judgments, this writ petition is dismissed granting liberty to petitioner to work out his remedies as available in law on the allegation of inordinate delay in completing the investigation. Miscellaneous petitions, if any pending, stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Praveen Kumar Veerjala Advocate [OPUC]
2. Two CCs to GP for Home, High Court for the State of Telangana (OUT)
3. Two CD Copies

MBC



HIGH COURT

DATED: 03/11/2020



ORDER

WP.No.18913 of 2020

DISMISSING THE WRIT PETITION

WITHOUT COSTS

⑤ VLW
7/11/20