

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.28401 of 2019

ORDER:

The present writ petition is filed to declare the action of the respondents, more particularly the action of the 3rd respondent, in harassing the petitioner and calling the petitioner daily to the Police Station and threatening to bind over the petitioner and interfering with the life and liberty of the petitioner as arbitrary and illegal.

2. Heard Sri Satish Kumar Varma, learned counsel for the petitioner, learned Assistant Government Pleader for Home for respondents 1 to 4, and Sri A.L.Raju, learned counsel for the 5th respondent.

3. Learned Assistant Government Pleader for Home, on the basis of the written instructions, dated 17.12.2019, submits that on the complaint of the 5th respondent, a case was registered in Crime No.141 of 2019 on 21.05.2019 against the petitioner, wherein after completion of the investigation, charge sheet has been filed and the said case is pending for trial and the petitioner is the sole accused in the said crime. He further submits that the 5th respondent, who is the wife of the petitioner, gave another complaint through e-mail on 01.10.2019 stating that the petitioner is troubling her and threatening her by visiting her office and her daughter's school and harassing her and requested to take action on the

petitioner. He further submits that the 5th respondent gave another complaint to the Station House Officer, Asifnagar, on 09.12.2019. Upon receipt of the said complaint, GD entry was made and enquiry is being done.

4. Relying on the above said written instructions, learned Assistant Government Pleader for Home states that the 3rd respondent Police is only acting on the complaints made by the 5th respondent against the petitioner by undertaking enquiry there into. Except doing enquiry on the complaints given by the 5th respondent, the 3rd respondent Police never threatened to bind over the petitioner in the above cases.

5. Having regard to the aforesaid statement made by the learned Assistant Government Pleader for Home on behalf of the 3rd respondent Police, no further orders need be passed in this writ petition, except observing that the 3rd respondent Police shall act in accordance with law while investigating into the complaints lodged by the 5th respondent against the petitioner.

6. With the above observation, 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.

JUSTICE T.VINOD KUMAR

Date: 21st January, 2020
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