

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.12228 of 2020

ORDER:

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

2. The grievance of the petitioner is that the respondent No.2 has not registered a crime pursuant to the report lodged by him on 11.07.2020. The petitioner is stated to be working as security guard at M/s. Janaharsha Eastates at Ibrhaimpatnam. At about 10.45 PM in the night, while doing rounds along with driver V. Ankaiah and security guards, K. Kumar and P. Dhanaraj, they found a swift car, at B Circle of the Janaharsha Estates, in which a boy and a girl were found in suspicious circumstances. When the petitioner and his companions questioned the boy and the girl, they abused the petitioner by taking the name of his caste and his companions in filthy language. It is further stated that the said persons made a phone call to their friends, who came there and attacked the petitioner and his companions. In that connection they dialed 100 and thereafter, lodged a report on 11.07.2020.

3. Counter affidavit is filed by the respondent No.2 stating that in connection with the same incident, a complaint was lodged by another security guard, Pedda Muthani Dharaj, S/o. Papaiah, and based on the same, a case in Cr.No.170 of 2020 was registered for the offences under Section 324, 506, 427 read with Section 34 IPC on 12.07.2020. The statement of the petitioner under Section 161 Cr.P.C. was recorded wherein he did not state that he approached the Ibrahimpatnam Police Station and lodged the alleged complaint on 11.07.2020. Thus, it is stated that no second FIR was necessary on

the very same incident dated 11.07.2020 against the very same accused.

4. Having considered the submissions of the learned counsel for the petitioner and the learned Assistant Government Pleader for home, this Court is of the opinion that, since a crime is already registered, if the petitioner has got any grievance against the registration of the said case, he may approach the concerned Magistrate for alteration of the offences or for filing a separate complaint under Section 200 Cr.P.C.

The writ petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

November 9, 2021
DSK

B. VIJAYSEN REDDY, J