

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

**WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 12203 OF 2022

Between:

Agroha Co-operative Urban Bank Ltd., Regd. Office at 2nd Floor,
D.No. 21-1-974, Opp. High Court, Ghansi Bazar, Hyderabad - 500 002. Rep. by
its Deputy Manager, Mrs. T. Padmavathi, W/o Boddinagula Mahender, Aged
about 51 years, R/o 3-8-56, Nehru Nagar, Ramanthapur, Amberpet, Hyderabad -
500 013.

...PETITIONER

AND

1. The State of Telangana, Represented by its Principal Secretary, Home Department, Hyderabad, T.S.
2. The Station House Officer, Charminar Police Station, Hyderabad. TS.

...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 a Writ or Order or Direction, particularly one in nature of Writ of Mandamus, questioning the inaction of the part of the Respondents 1 and 2 in filing the Final Report or Charge Sheet in FIR No. 128/2021 dated 20/05/2021 on the file of the Charminar Police Station, Hyderabad for the offences under Sections 406, 420 and 120B of the IPC as arbitrary, illegal, unfair, unjust and in violation of Article 14 of Constitution of India and consequently direct the 2nd Respondent to complete the investigation as expeditiously as possible including the evidence adduced by the Petitioner bank and file the final report in the interest of justice.

IA NO: 1 OF 2022

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 consider the evidence adduced by the Petitioner bank in FIR No. 128/2021 and file the final report or charge sheet under Section 173(3) of Cr.PC pending disposal of the Writ petition..

Counsel for the Petitioner : SRI. ARIKATLA ELISON

Counsel for the Respondents : SRI A MANOJ KUMAR AGO FOR GP FOR HOME

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.12203 OF 2022

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following the relief:

"...to issue a writ or order or direction, particularly one in the nature of writ of Mandamus questioning the inaction on the part of the respondent Nos.1 and 2 in filing the final report or charge sheet in FIR No.128 of 2021, dated 20.05.2021 on the file of Charminar police station, Hyderabad, for the offences under Sections 406, 420 and 120B of I.P.C., as arbitrary, illegal and consequently direct the 2nd respondent to complete the investigation as expeditiously as possible including the evidence adduced by the petitioner bank and file the final report..."

2. Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Home, appearing for the respondents and perused the record.

3. The grievance of the petitioner is that though the subject Crime No.128 of 2021 was registered on 20.05.2021 against the accused, for the offences under Sections 406, 420 and 120B of I.P.C, so far no final report/charge sheet is filed and ultimately, prayed this Court to issue a direction to the respondents to complete the investigation and file final report in the subject crime.

4. In response to the same, learned Assistant Government Pleader for Home, on written instructions, would submit that after completion of investigation in the subject crime, the respondent-police filed charge sheet before the learned Chief Metropolitan Magistrate, Nampally, Hyderabad vide SR No.1095/2022, dated 05.03.2022. Accused No.4 is shown as absconding. It is also clear in the written instructions that whenever accused No.4 is apprehended, the case against him will be investigated into and a separate charge sheet would be filed.

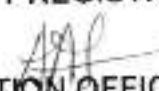
5. Since the respondent-police have completed investigation and filed charge sheet against all the accused except accused No.4, no relief as sought for by the petitioner in the writ petition can be granted. Further, the respondent-police are ready to investigate the allegations made against accused No.4 and file a separate charge sheet against him whenever he is apprehended. Under these circumstances, the respondent-police are directed to expeditiously complete the investigation as far as accused No.4 is concerned.

6. With the above observation/direction, the writ petition is disposed of.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

SD/-V.KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Home Department, Hyderabad, State of Telangana T.S.
2. The Station House Officer, Charminar Police Station, Hyderabad. TS.
3. One CC to SRI. ARIKATLA ELISON, Advocate [OPUC]
4. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies
6. One Spare Copy

SB
BS



HIGH COURT

DATED:09/03/2022



ORDER

WP.No.12203 of 2022

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.

⑧ VW
23/5/22