

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

MONDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION NO: 15613 OF 2021

Between:

Durreyshewar, D/o, Late Mir Shabbir Ali, Aged about 48 years, Occ President of Deccan Mahila Welfare Ass. H. No 2-749/25, Karam Bagh, Saidabad Road, New Saidabad Colony, Hyderabad, T.S.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Home Department, Secretariat, Hyderabad.
2. The Commissioner of Police, Rachakonda, Medchal, Hyderabad.
3. The Station House Officer, Malkajgiri Police Station, Malkajgiri, Hyderabad
4. The Station House Officer, Dabeerpura Police Station, Dabeerpura, Hyderabad.

...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 inaction of the Respondents in not closing the rowdy sheet opened against the petitioner which is pending before 4th respondent Police Station in spite of written representation Dt 07/06/2021 is made is as illegal, arbitrary, High-Handed contrary to the orders passed in Police standing orders 741 and 742 and consequently direct the respondents to close the rowdy sheet opened against the petitioner pending before the 4th respondent's police station pursuant to the written representation Dt 07/06/2021

IA NO: 1 OF 2021

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 Respondents not to interfere with the personal life of the petitioner pending disposal of the writ petition in this Hon'ble court

Counsel for the Petitioner: SMT. SALEHA BEGUM

Counsel for Respondents: GP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.15613 of 2021

ORDER:

The writ petition is filed aggrieved by the inaction of the respondents in closing the rowdy sheet opened against the petitioner in spite of the written representation dated 07.06.2021.

2. In the counter affidavit filed by the respondent No.4, it is stated that the rowdy sheet was opened against the petitioner in view of her involvement in the following cases:

- i. Cr.No.90/2000 for the offences U/s. 129-B, 147, 148, 448, 307, 203 r/w 149 IPC and Section 25(1) of Indian Arms Act of respondent No.3 Malkajgiri Police Station.
- ii. Cr.No.90/2000 for the offences U/s. 307 IPC & 25(1)(b) of Arms Act of Rein Bazar Police Station, Hyderabad.
- iii. Cr.No.22/2001 for the offences U/s. 307 r/w 34 IPC of respondent No.4 Dabeerpura Police Station, Hyderabad.
- iv. Cr.No.62/2002 for the offences U/s. 307 IPC and Section 25(1) of Indian Arms Act of Bhavaninagar Police Station.
- v. Cr.No.345/2003 for the offences U/s. 147, 148, 120(b), 302, 201 r/w 149 IPC of respondent No.3 Malkajgiri Police Station.
- vi. Cr.No.8/2008 for the offences U/s. 447, 232, 506, 382 r/w 34 IPC of Bhavaninagar Police Station, Hyderabad.
- vii. Cr.No.166/2008 for the offences U/s. 341, 323, 504, 354 IPC of Saidabad Police Station, Hyderabad.
- viii. Cr.No.121/2009 for the offences U/s. 107 Cr.P.C. of Saidabad Police Station.

- ix. Cr.No.76/2009 for the offences U/s. 448, 506 IPC of respondent No.4 Dabeerpura Police Station, Hyderabad.
- x. Cr.No.16/2011 for the offences U/s. 147, 448, 506 IPC r/w 7(1)(a) of Criminal Amendment Act of Rein Bazar Police Station.
- xi. Cr.No.86/2011 for the offences U/s. 506 IPC of Santoshnagar Police Station.
- xii. Cr.No.70/2011 for the offences U/s. 506 IPC of respondent No.4 Dabeerpura Police Station.
- xiii. Cr.No.233/2012 for the offences U/s.341, 452, 324, 427, 506 r/w 34 IPC of Narayanguda Police Station.

3. However, it is admitted by the respondent No.4 that except the case cited at Sl.No.11 above, all the other cases are closed.

4. As it is not in dispute that the rowdy sheet is continued against the petitioner for her involvement in one crime, following the decision of this Court in **Mansoor Shah Khan v. State of Telangana** (W.P. No.22980 of 2020 dated 01.06.2021), continuing rowdy sheet against an accused based on one crime is not permissible. Apart from that activities of the accused must be causing breach of peace, public tranquillity, security and public order etc. Cr.No.86 of 2011 alone is pending against the petitioner as of now and the charge against her is not with regard to breach of peace, public tranquillity or public security and order.

In view of the same, the writ petition is allowed and the respondents are directed to forthwith close the rowdy sheet opened against the petitioner. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

SD/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Home Department, State of Telangana, Secretariat, Hyderabad.
2. The Commissioner of Police, Rachakonda, Medchal, Hyderabad.
3. The Station House Officer, Malkajgiri Police Station, Malkajgiri, Hyderabad
4. The Station House Officer, Dabeerpura Police Station, Dabeerpura, Hyderabad.
5. One CC to Smt. Saleha Begum Advocate [OPUC]
6. Two CCs to GP For Home, High Court for the State of Telangana. [OUT]
7. Two CD Copies

MBC
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HIGH COURT

DATED: 13/02/2023



ORDER

WP.No.15613 of 2021

ALLOWING THE WRIT PETITION

WITHOUT COSTS

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16/2/23