

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.42605 OF 2022

ORDER: (ORAL)

The grievance of the petitioner is that respondent No.4-Inspector of Police, Panjagutta Police Station, has not taken prompt action on the complaint of the petitioner dated 19.05.2022 in pursuance of which First Information Report No.248 of 2022 was registered.

2. Heard the petitioner as party-in-person and the learned Assistant Government Pleader for Home, and perused the material available on record.

3. In the written instructions dated 28.10.2022 received by the learned Assistant Government Pleader for Home, it is stated that investigation in First Information Report No.248 of 2022 of Panjagutta Police Station, Hyderabad, registered for the offences under Sections 363 and 342 read with 34 of Indian Penal Code, 1860, was taken up. The statement of Mohd. Afraaz (son of the petitioner) has been recorded under Section 161 of the Code of Criminal Procedure, 1973, as LW.2, and in the said statement, he stated that he intends to live with his mother (respondent No.5). After completion of investigation, respondent No.4 obtained permission from the Assistant Commissioner of Police, Panjagutta Division, *vide* proceedings

No.310/per./Cr./ACP-PGT/2022 dated 29.06.2022 to refer the case as 'Action Dropped'.

4. Learned Assistant Government Pleader for Home submitted that after serving notice to the complainant, final report will be filed before the competent court.

5. The petitioner, who has argued as party-in-person, submitted that he has obtained certified copy of the final report from the concerned court, but so far he has not received copy of the final report from the police. He further submitted that the material evidence produced by him has not been considered by the police while conducting investigation and the final report is filed.

6. However, as the case has been closed as 'Action Dropped' and the final report is stated to have been submitted before the concerned court, this Court is not inclined to entertain this writ petition. However, the petitioner is given liberty to file protest petition challenging the final report or avail appropriate legal remedies available under the Code of Criminal Procedure, 1973.

7. Subject to the above observations, the writ petition is disposed of.

As a sequel thereto, miscellaneous applications, if any, pending

in the writ petition stand closed. No order as to costs.

B. VIJAYSEN REDDY, J

06.01.2023
v v