

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

**FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 34999 OF 2023

Between:

Dinesh Babu Verapalli, S/o.Venkata Subbaiah Naidu, Aged about 34 years, Occ ;
Business, R/o.Flat No.301, Block No.A, Road No.14 Hallmark Spring Fields, Alkapur
Township Manikonda, Hyderabad.

.....PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary Home Department Secretariat, Hyderabad.
2. The Commissioner, Cyberabad Commissionerate Cyberabad, R.R. District.
3. The Station House Officer, Madapur Police Station Cyberabad Commissionerate Ranga Reddy District.
4. Smt.Vasanth Lakshmi Devineni, W/o.D.Uday Kiran, aged about 45 years, Occ ;
;Managing Director of IKF Finance R/o.H.No.B-30, Road No.8, Filmnagar Jubilee Hills, Hyderabad.
5. Devineni Jayadev Raja, S/o.D.Uday Kumar, Aged about 22 years, Occ ;
Business, R/o.H.No.B-30, Road No.8, Filmnagar Jubilee Hills, Hyderabad.
6. IKF Finance Ltd., Rep. by its Managing Director Smt.Vasanth Lakshmi Devineni Corporate Office at Rayadurg, Serlingampalli Mandal, Ranga Reddy District.

.....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 action of the Respondent Nos.2 and 3 in failing to initiate further action for conducting the investigation and filing the charge sheet in FIR No.992 of 2023 dated 06-09-2023 on the file of 3rd respondent registered against the Respondent Nos.4 to 6 for the offence

u/sec.406, 420, 471, 120(B), 506 r/w 34 IPC as illegal, arbitrary and contrary to the provisions of Cr.P.C. and consequently direct the Respondent Nos.2 and 3 to forthwith investigate the offence and file the Charge Sheet by initiating appropriate action as against the Respondent Nos.4 to 6 as per provisions of Cr.P.C.

I.A.NO:1 OF 2023

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 Respondent Nos.2 and 3 to forthwith investigate the offence and file the Charge Sheet by initiating appropriate action as against the Respondent Nos.4 to 6 as per provisions of Cr.P.C. pursuant to the registration of complaint in FIR No.992 of 2023 dated 06-09-2023, pending disposal of the above writ petition.

Counsel for the Petitioner : SRI M.JANARDHAN RAO

Counsel for the Respondent Nos.1 to 3 : AGP FOR HOME

Counsel for the Respondent Nos.4 to 6 : -----

The Court made the following ORDER

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION No.34999 of 2023

ORDER:

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

“...to issue an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.2 and 3 in failing to initiate further action for conducting the investigation and filing the charge in FIR No.992 of 2023, dated 06.09.2023 on the file of 3rd respondent registered against respondent Nos.4 to 6 for the offence under Sections 406, 420, 471, 120-B and 506 read with 34 IPC, as illegal, arbitrary and contrary to the provisions of Cr.P.C. and consequently direct respondent Nos.2 and 3 to forthwith investigate the offence and file charge sheet by initiating appropriate action against respondent Nos.4 to 6 as per the provisions of Cr.P.C...”

2. Heard learned counsel for the petitioner, learned Assistant Government for Home appearing for respondent Nos.1 to 3 and perused the record.

3. The petitioner is complainant in Crime No.992 of 2023, dated 06.09.2023, on the file of Madhapur Police Station, Cyberabad District, registered for the offences punishable under Sections 406, 420, 471 120-B and 506 read with 34 IPC.

4. The grievance of the petitioner is that though crime was registered on 06.09.2023 against respondent Nos.4 to 6, respondent No.3 is not conducting fair and proper investigation and not filing appropriate charge sheet against the said persons.

5. Learned Assistant Government Pleader for Home, on instructions, would submit that acting on the complaint of the

petitioner, a case in Crime No.992 of 2023 was registered on 06.09.2023 and during the course of investigation it revealed that there are civil disputes between the petitioner and respondent Nos.4 to 6 and as such the said complaint was closed as 'civil in nature'. Learned counsel further submits that a copy of said closure report is also sent to the petitioner by 'Registered Post'.

6. At this stage, learned counsel for the petitioner would submit that copy of closure report is not furnished to the petitioner to enable the petitioner to avail the remedies as available under law.

7. In view of the said submissions, this Court deems it appropriate to dispose of the Writ Petition directing respondent No.3 to furnish copy of closure report to the petitioner within a period of two weeks from the date of receipt of a copy of this order and in the event of furnishing the same, the petitioner is at liberty to avail the remedies as available under law.

8. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

**SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To

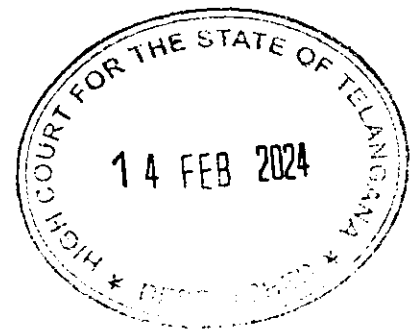
1. The Principal Secretary, Home Department Secretariat, State of Telangana at Hyderabad.
2. The Commissioner, Cyberabad Commissionerate Cyberabad, R.R. District.
3. The Station House Officer, Madapur Police Station Cyberabad Commissionerate Ranga Reddy District.
4. Two CCs to GP For Home, High Court for the State of Telangana at Hyderabad. [OUT]
5. One CC to Sri M.Janardhan Rao, Advocate [OPUC]
6. Two CD Copies

HIGH COURT

DATED:29/12/2023

ORDER

WP.No.34999 of 2023



**DISPOSING OF THE W.P
WITHOUT COSTS.**

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KEMA
01/2/2024