

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

**TUESDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 27340 OF 2023

Between:

Syed Feroz Ali, S/o.Sd.Liyakath Ali, Aged 35 years, Occ. Selling Court forms in City civil Court Chatta Bazar, Hyderabad, R/o.H.No.16-4-398, Chanchalguda, Hyderabad.

...PETITIONER

AND

1. The State of Telangana, Rep by its Principal Secretary Home Department Secretariat Hyderabad.
2. The Commissioner of Police, Central Crime Station At Hyderabad.
3. The Station House Officer, P.S.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 any order or direction writ or writs more particularly on in the nature of WRIT OF MANDAMUS declaring the action of the Respondent No.3 directing petitioner to appear before SHO Dabeerpura by calling petitioner and his mother to their cell phones even after filing the chargesheet which is numbered as C.C.No.900202/2018, and threatening petitioner and his family members that if petitioner did not went to the police station they will open the P.D.Act case against me is illegal, arbitrary and violation of principles of natural justice and consequently to direct the Respondent No.3 not to call petitioner to the police station and not to threaten petitioner and his family members on pretext of Registration of P.D.Act

IA 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 No.3 not to call petitioner to the police station and not to threaten petitioner and his family members on pretext of Registration of P.D.Act pending disposal of the above writ petition.

Counsel for the Petitioner: SRI D Y L N CHARYULU

Counsel for the Respondents: AGP FOR HOME

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.27340 of 2023

ORDER:

The petitioner states that he has been arrayed as accused No.1 in Crime No.121 of 2017 dated 20.10.2017 registered on the file of P.S.Dabeerpura for the offences punishable under Sections 420, 467, 468, 471 read with 120B IPC. It is stated that after concluding investigation in the said crime, respondent No.3 has also laid charge sheet vide C.C.No.202 of 2018 on the file of the Court of VII Additional Metropolitan Magistrate at Nampally. It is further stated that even after filing the charge sheet, respondent No.3 is frequently summoning the petitioner to police station and confining him for hours together stating that warrants are pending against him in C.C.No.202 of 2018. Soon after coming to know about the pendency of the warrants issued against him in C.C.No.202 of 2018, the petitioner is stated to have filed an application under Section 70(2) of Cr.P.C vide Crl.M.P.No.543 of 2023 in C.C.No.202 of 2018 and the same was allowed on 02.8.2023 by recalling the NBW issued against him. The

grievance of the petitioner is that even after the said information has been furnished to respondent No.3, he is frequently summoning the petitioner and confining for hours together in the police station.

Learned Assistant Government Pleader for Home, on instructions, submits that during the pendency of the NBW issued against the petitioner, he was directed to appear in connection with C.C.No.202 of 2018 pending on the file of VIII Additional Chief Metropolitan Magistrate, Hyderabad, and having come to know that the said warrants have been recalled vide order 02.08.2023 passed in Crl.M.P.No.543 of 2023 in C.C.No.202 of 2018, respondent No.3 is not summoning the petitioner to police station.

Recording the aforesaid submission of the learned Assistant Government Pleader that the respondent No.3 is not directing the petitioner for his appearance, in the absence of any warrants pending against him, the writ petition is disposed of directing the respondents police not to harass or summon the petitioner in connection with C.C.No.202 of 2018 except in accordance with law.

Pending miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Home Department The State of Telangana, Secretariat Hyderabad.
2. The Commissioner of Police, Central Crime Station At Hyderabad.
3. The Station House Officer, P.S.Dabeerpura, Hyderabad.
4. One CC to Sri D Y L N Charyulu, Advocate [OPUC]
5. Two CCs to GP for Home, High Court for the State of Telangana, at Hyderabad [OUT]
6. Two CD Copies

T J
GJP



HIGH COURT

DATED:20/02/2024

ORDER

WP.No.27340 of 2023



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS.**

⑨

16/3/24

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