

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.7579 of 2012

Between:

Lalji Nageshji

....Petitioner

and

Inspector of Police,
III Town Police Station,
Kothagudem, Khammam District,
And others.

....Respondent

JUDGMENT PRONOUNCED ON : 29.02.2016

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO :

1. Whether Reporters of Local newspapers : Yes
may be allowed to see the Judgments?
2. Whether the copies of judgment may be : No
Marked to Law Reporters/Journals?
3. Whether Their Ladyship/Lordship wish to : No
see the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-

WRIT PETITION No.7579 of 2012

ORDER:

This Writ Petition was filed challenging the final report filed by the first respondent Police in Crime No.220 of 2006 of Kothagudem III Town Police Station, on 11.11.2011 before the learned III Additional Judicial Magistrate of First Class, Kothagudem, without completing the investigation and without recovering the entire stolen property.

A counter affidavit is filed by the Inspector of Police, III Town Police Station, Kothagudem, stating that pursuant to the complaint

lodged on 16.11.2006, Crime No.220 of 2006 was registered under Section 392 IPC and Section 25(1)(a) of the Indian Arms Act against unknown persons. During the course of investigation, as many as 13 witnesses, including the complainant, were examined and their statements were recorded. The investigation revealed that accused Nos.1 to 7 were involved in the crime. Accused Nos.1, 2, 6 and 7 were arrested on 21.03.2011. But, accused Nos.3 and 5 are absconding. The seized property was deposited in the Court on 25.03.2011. But, the same was returned stating that it can be produced at the time of trial. The Court passed an order on 29.08.2011 to release the property, and accordingly, it was handed over to the complainant on 14.09.2011.

In view of the pendency of case before the competent Court, it is open to the petitioner to take appropriate proceedings under the Code of Criminal Procedure and no relief can be granted in the present Writ Petition. Granting such liberty, this Writ Petition is dismissed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

29.02.2016
vs