

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

WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 26318 OF 2023

Between:

1. L. Kamalesh, S/o. K.Lakshman Reddy, aged 31 Years, R/o. 16-11-20/8, Saleemnagar Colony, Malakpet, Hyderabad.
2. Muruki Hari Prasad, S/o. Vittal, aged about 29 years, R/o. Flat No. 36, Road No. 4, Sri Ram Nagar Colony, Manikonda, Ranga Reddy District.
3. L. Jai Kumar, S/o. Lakshman Reddy, aged 30 Years, R/o. 16-11-20/8, Saleemnagar Colony, Malakpet, Hyderabad.

...PETITIONERS

AND

1. The Inspector of Police, SZCT-WZ, Central Crime Station, Detective Department, Hyderabad.
2. The Sub Inspector of Police, Chair Duty, CCS, Hyderabad.
3. The Deputy Commissioner of Police, CCS, Hyderabad
4. The State of Telangana, rep. by its Secretary, Home Department, Secretariat, Hyderabad.
5. Masetty Hari Prasad, S/o. Krishna Murthy, R/o. 2-36, Chaitanyapuri, 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 a Writ of Mandamus or any other appropriate writ direct the respondent police officials to act in accordance with law and forbear from interfering with the life and personal liberty of the petitioners and not to pressurise the petitioners to settle/compromise the civil dispute with the 5th respondent which is concerning the land admeasuring 11 acres 38 ½ guntas situated at Pamukunta Village, Rajapet Mandal, Yadadri-Bhuvanagiri district (FIR No. 201 of 2023)

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 police officials not to interfere with the life and liberty of the petitioners and not to pressurize the petitioners to settle the civil dispute with the 5th respondent in respect of the land admeasuring 11 acres 38 ½ guntas situated at Pamukunta Village, Rajapet Mandal, Yadadri-Bhuvanagiri district covered by registered sale deeds bearing document Nos. 530 and 531 of 2021 on the file of the Mandal Revenue Officer, Rajapet Mandal, Yadadri-Bhuvanagiri district which is subject matter of FIR NO. 201 of 2023 pending disposal of the writ petition.

Counsel for the Petitioners: M/s. BHARADWAJ ASSOCIATES

Counsel for the Respondent No.1 to 4: AGP FOR HOME

Counsel for the Respondent No.5: --

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No. 26318 of 2023

ORDER:

This Writ Petition is filed praying this Court to direct the respondents-police not to interfere with the life and personal liberty of the petitioners and not to pressurize them to settle/compromise the civil disputes with respondent No.5 in connection with the land admeasuring Ac.11.38 ½ guntas situated at Pamukunta Village, Rajapet Mandal, Yadadri-Bhuvanagiri District.

2. The case of the petitioners is that they purchased the agriculture land admeasuring Ac.11.38 ½ guntas, situated at Pamukunta Village, Rajapet Mandal, Yadadri-Bhuvanagiri District from respondent No.5 by paying valid sale consideration and respondent No.5 also executed a sale deed in their favour *vide* document Nos.530 and 531 of 2021. While the matter stood thus, the sister of respondent No.5 instituted a suit *vide* O.S.No.366 of 2023 on the file of the II Additional Senior Civil Judge, Ranga Reddy District seeking partition of the very same subject

land purchased by the petitioners from respondent No.5. It is alleged that there are business transactions between the petitioners and respondent No.5 and taking advantage of the differences in the business, respondent No.5 had lodged a complaint against five persons namely Ratan Pillai, Neha, Prashik, Pavitra and Naveen and the same was registered as Crime No.201 of 2023 of Central Crime Station, Hyderabad, for the offences punishable under Sections 406, 420 and 506 read with 34 of I.P.C. Though the petitioners were not arrayed as accused in the said crime, at the instigation of respondent No.5, the respondents-police are frequently summoning them to the police station and forcing them to enter into a settlement/compromise with respondent No.5 as per the terms dictated by him. It is the further case of the petitioners that the respondents-police also issued a notice under Section 91 Cr.P.C. to the petitioners insisting them to give statement in Crime No.201 of 2023. The grievance of the petitioners is that they are nothing to do with the above crime and they are not arrayed as accused in the said crime and inspite of the same they are being

summoned to the police station unnecessarily and confined them for hours together even though there is no role whatsoever in relation to the said crime.

3. This Court, *vide* order, dated 21.09.2023 directed the respondents-police not to summon the petitioners to the police station nor confine them or interfere with their life and personal liberty whatsoever, except in accordance with law. This Court also directed the learned counsel for the petitioners to take out personal notice to respondent No.5. Respondent No.5, even after receiving notice, has not made his appearance.

4. Learned Assistant Government Pleader for Home appearing for the respondents-police has submitted that except issuance of notice under Section 91 of Cr.P.C. the respondents-police are not interfering with the personal life and liberty of the petitioners, in any manner. It is further submitted by the learned Assistant Government Pleader that instead of filing the required documents nor furnishing the information, the petitioners have approached this Court, therefore, the writ petition filed by

the petitioners is misconceived and the same is liable to be dismissed in limini.

5. In view of the above submissions, this Court, deems it appropriate to dispose of the writ petition, directing the respondents-police to act in accordance with law and not to interfere with the personal life and liberty of the petitioners nor pressuring them to settle/compromise the civil disputes with respondent No.5 with regard to the land admeasuring Ac.11.38 ½ guntas situated at Pamukunta Village, Rajapet Mandal, Yadadri-Bhuvanagiri District and if the presence of the petitioners is required for the purpose of investigation in any case, the respondents-police are directed to follow the procedure prescribed in law.

6. With the above observations, this Writ Petition is disposed of. No costs.

7. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

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SD/-N. SRIHARI
ASSISTANT REGISTRAR

SECTION OFFICER

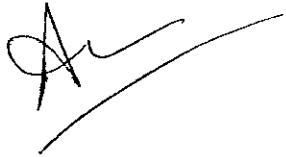
To,

1. The Inspector of Police, SZCT-WZ, Central Crime Station, Detective Department, Hyderabad.
2. The Sub Inspector of Police, Chair Duty, CCS, Hyderabad.

Court

3. The Deputy Commissioner of Police, CCS, Hyderabad
4. The Secretary, Home Department, Secretariat, Hyderabad, State of Telangana.
5. One CC to M/s. BHARADWAJ ASSOCIATES, Advocate [OPUC]
6. Two CCs to GP FOR HOME, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

BSR
GJP



HIGH COURT

DATED: 29/11/2023

ORDER

WP.No.26318 of 2023



DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS

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[Signature]

30/12/2023