

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 35480 OF 2021

Between:

Sri S.Sreedhar, S/o. S.Babu Rao

AND

1. State of Telangana, Rep. by its Principal Secretary for Home Department, Telangana Secretariat, Hyderabad.
2. Station House Officer, Narsingi Police Station, Cyberabad Commissionerate, Narsingi, Ranga Reddy District.
3. Sub-Inspector of Police, Narsingi Police Station, Cyberabad Commissionerate, Narsingi, Ranga Reddy District.
4. Smt. Amritha Mishra, W/o Rakesh Mishra, Occ: Business, R/o. A-11, Vikrampur Colony, Kakaguda, Secunderabad.

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 2nd and 3rd Respondents in implicating the Petitioner herein by registering FIR No. 1492 of 2021 dated 11-12-2021 on the file of Narsingi Police Station on the basis of a false complaint received from the 4th Respondent as illegal, arbitrary, highhanded, contrary to law and unconstitutional and consequentially quash the same as against the Petitioner herein.

IA NO: 1 OF 2021:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings as against the Petitioner herein, pursuant to FIR No. 1492 of 2021 dated 11-12-2021 on the file of Narsingi Police Station, pending disposal of WP.No. 35480 of 2021 on the file of the High Court.

The Petition coming on for hearing upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri M.S.Prasad, Senior Counsel for M/s. A.Satyasiri, Advocate for the Petitioner, G.P. for Home for the Respondents 1 to 3 and of Sri L.Aravind, Advocate for the Respondent No.4, the Court made the following

ORDER:

" List on 14-02-2022. ✓

Sri L. Aravind, learned counsel for the 4th respondent seeks time to file counter. Perusal of the complaint dated 11-12-2021 would reveal that there are 4 suits pending between the parties i.e., O.S.Nos.947 of 2015, 1803 of 2015 (new O.S.No.12 of 2017), 127 of 2016 and 143 of 2017. The alleged incident took place on 21-02-2021 and the 4th respondent lodged the complaint on 11-12-2021 i.e., after laps of almost 10 months.

Sri M.S. Prasad, learned Senior Counsel appearing for petitioner would submit that there are 4 more suits pending between petitioner and 4th respondent with regard to recovery of money and with regard to some properties. The said facts would reveal that there are disputes between the petitioner and 4th respondent and the transaction is of 2013 and 2016. The same are civil in nature.

Sri L. Aravind, learned counsel for the 4th respondent vehemently opposed granting of interim protection to the petitioner herein. However, he seeks time to file counter. In view of the same, the matter requires examination.

Therefore, there shall be stay of all further proceedings including the arrest of the petitioner herein in Crime No.1492 of 2021 of Narsingi (CYB) Police Station."

SD/- K ONESIM
Assistant Registrar

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary for Home Department, State of Telangana, Telangana Secretariat, Hyderabad.
2. The Station House Officer, Narsingi Police Station, Cyberabad Commissionerate, Narsingi, Ranga Reddy District.
3. The Sub-Inspector of Police, Narsingi Police Station, Cyberabad Commissionerate, Narsingi, Ranga Reddy District.
4. Smt. Amritha Mishra, W/o Rakesh Mishra, Occ: Business, R/o. A-11, Vikramपुरi Colony, Kakaguda, Secunderabad.
(1 to 4 by RPAD)
5. Two CCs to G.P. for Home, High Court at Hyd(OUT)
6. One CC to M/s. A.Satyasiri, Advocate(OPUC)
7. One spare copy.

SAH

HIGH COURT

KLJ

DATED: 23-12-2021

NOTE: LIST ON 14-02-2022

ORDER

WP.NO. 35480 OF 2021

STAY

