

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.35118 of 2022

ORDER:

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Home.

2. Learned counsel for the petitioner submitted that the rowdy sheet was opened against the petitioner on the basis of five cases.

3. In the counter filed by the respondent No.3, it is stated that the petitioner was involved in the following crimes:

1. Cr.No.322 of 2009 registered for the offences under Sections 147, 148, 307 read with 149 IPC with the Sangareddy Town Police Station.
2. Cr.No.259 of 2012 registered for the offences under Sections 324, 427, 504, 506 read with 34 IPC with the Sangareddy Town Police Station.
3. Cr.No.29 of 2013 registered for the offences under Sections 353, 504 and 506 IPC with the Sangareddy Town Police Station.
4. Cr.No.49 of 2013 registered for the offences under Sections 447 and 427 IPC with the Sangareddy Town Police Station.
5. Cr.No.113 of 2013 registered for the offence under Section 307 read with 34 IPC.

4. It is further stated that out of the aforesaid five cases, four crimes ended in acquittal and one crime i.e. Cr.No.259 of 2012

ended in compromise. The rowdy sheet is being renewed from time to time and the activities of the petitioner are under surveillance of the respondent police. The acquittal of the petitioner was due to the witnesses turning hostile. There is no possibility of false implication of the petitioner in the criminal cases. The continuation of rowdy sheet against the petitioner is not in violation of right of privacy and other fundamental rights under Articles 14 and 19 of the Constitution of India.

5. Learned counsel for the petitioner submitted that the last case against the petitioner was closed in the year 2013. The same is not disputed by the learned Assistant Government Pleader for Home.

6. As all the five cases wherein the petitioner was involved ended in acquittal/compromise, the continuation of rowdy sheet even after nine years is totally unjustified. It is not the case of the respondent police that the petitioner was involved in other criminal cases in the past nine years. Moreover, as there is no case pending against the petitioner, it would be arbitrary on the part of the respondent police to continue the rowdy sheet against the petitioner.

Hence, the writ petition is allowed and the respondents are directed to close the rowdy sheet opened against the petitioner.

Pending miscellaneous petitions, if any, shall stand closed.

There shall be no order as to costs.

B. VIJAYSEN REDDY, J

October 10, 2022
DSK