

**THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER  
AND  
THE HON'BLE SMT. JUSTICE JUVVADI SRIDEVI**

**WRIT PETITION No.9312 OF 2022**

**ORDER:** (Per Hon'ble Dr. Justice Shameem Akther)

Sonam Bai, the petitioner, has filed the present Writ Petition on behalf of her brother Goru Singh @ Goru S/o. Late Bansi Singh, the detenu, challenging the detention order vide SB(I) No.296/PD-7/HYD/2021, dated 01.11.2021, passed by the respondent No.2, and the consequential confirmation order vide G.O.Rt.No.197, General Administration (Spl. (Law & Order)) Department, dated 28.01.2022, passed by the Principal Secretary to Government, General Administration (Spl. (Law & Order)) Department, Government of Telangana.

**2.** We have heard the submissions of the learned counsel for the petitioner, the learned Assistant Government Pleader for Home appearing on behalf of the respondents and perused the record.

**3.** Learned counsel for the petitioner would submit that the impugned detention order was passed by relying on a single crime registered against the detenu viz., Crime No.169 of 2021 of Charminar Police Station, Hyderabad Commissionerate. The detention order passed against the Accused No.2 in the said crime was already set aside by this Court vide order, dated 04.04.2022,

passed in W.P.No.34970 of 2021, and ultimately, prayed to set aside the impugned detention order and the consequential confirmation order.

4. Learned Assistant Government Pleader for Home did not dispute the submission made by the learned counsel for the petitioner.

5. As seen from the material placed on record and the submissions made, it is clear that the detention orders passed against the Accused No.2 in the subject Crime No.169 of 2021 of Charminar Police Station, Hyderabad Commissionerate, was already set aside by this Court vide orders, dated 04.04.2022, passed in W.P.No.34970 of 2021. Moreover, the impugned detention order was passed without adhering to the requirements/mandate given under Section 3(2) of the Telangana Act 1 of 1986 and by relying only on one crime registered for the offences punishable under Section 8(c) read with 20(b)(ii)(C) of Narcotic Drugs and Psychotropic Substances Act, 1985, which do not add up to disturbing the public order and it is only a law and order problem. Under these circumstances and since the facts and circumstances of the present case are akin to the facts and circumstances in W.P.No.34970 of 2021, the impugned orders are liable to be set aside.

6. In the result, the Writ Petition is allowed. The impugned detention order *vide* SB(I) No.296/PD-7/HYD/2021 dated 01.11.2021, passed by the respondent No.2, and the consequential confirmation order, *vide* G.O.Rt.No.197 General Administration (Special (Law and Order)) Department, dated 28.01.2022, passed by the Principal Secretary to Government, General Administration (Special (Law and Order)) Department, Government of Telangana, are hereby set aside. The respondents are directed to set the *detenu*, namely Goru Singh @ Goru S/o. Late Bansi Singh, at liberty forthwith, if he is no longer required in any other criminal case.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

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**Dr. SHAMEEM AKTHER, J**

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**JUVVADI SRIDEVI, J**

Date: 28<sup>th</sup> April, 2022  
SCS