

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42725 of 2016

ORDER:

This Writ Petition is filed by the petitioners seeking to declare the action of respondent No.4-Station House Officer, Gurazala (Town) Police Station, Guntur District, in registering in F.I.R.No.147 of 2016, dated 13.11.2016, for the offences punishable under Sections 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act, as arbitrary and illegal and consequently, direct the 4th respondent not to arrest the petitioners in connection with aforesaid Crime.

2. The facts of the case in brief are that the *de facto* complainant – 5th respondent is wife of the 1st petitioner and the other petitioners are her in-laws and sister-in-law. She lodged a complaint before the 4th respondent stating that her marriage with the 1st petitioner was performed in the year 2014 and few days thereafter, the petitioners started harassing her demanding additional dowry.

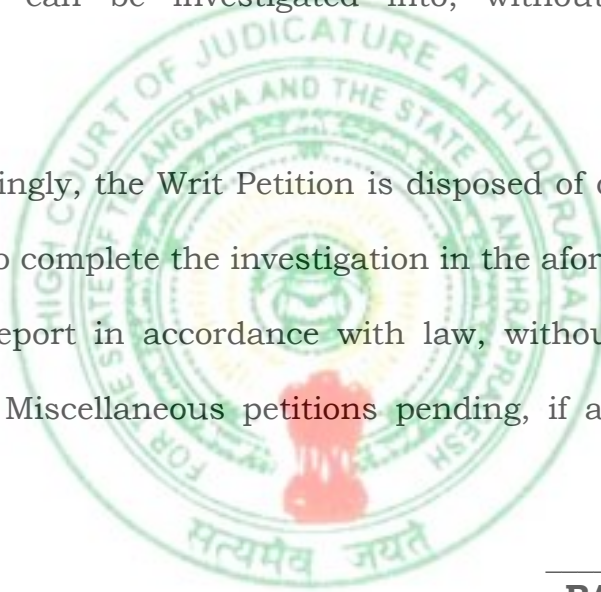
3. Heard and perused the material available on record.

4. Learned counsel for the petitioners submitted that the petitioners never harassed the 5th respondent demanding additional dowry; that there are no specific allegations against petitioners in the complaint; that the 5th respondent lived only for a few days with the 1st petitioner; that basing on the complaint of the 5th respondent, the police are trying to arrest the petitioners.

5. The learned Assistant Government Pleader submits that on the basis of the complaint, a case was registered against the petitioners and the respondents are investigating into the matter in accordance with law.

6. The petitioners filed this writ petition challenging registration of the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and circumstances of the case, without going into the merits of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

7. Accordingly, the Writ Petition is disposed of directing the 4th respondent to complete the investigation in the aforesaid crime and file a final report in accordance with law, without arresting the petitioners. Miscellaneous petitions pending, if any, shall stand closed.



RAJA ELANGO, J

December 08, 2016.
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Date:08.12.2016

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