

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40820 OF 2016

ORDER:

The present writ petition is filed seeking to declare the action of the respondents in registering FIR No.351 of 2016 on the file of Saidabad Police Station, Hyderabad, as illegal and arbitrary, and consequently, quash the same.

Heard and perused the material available on record.

The offence alleged against the petitioner is under Section 420 IPC. The allegation alleged against the petitioner is that under the guise of providing scholarships through the NGO firm i.e. Committee for Human Rights Protection & Aids Eradication, he collected amounts from the public and misappropriated the same.

The grievance of the petitioner is that he established an NGO firm to serve the public and with a view to give scholarships to the poor students, he has contacted sponsors, and due to some internal politics between the members, some members have lodged false complaint before the 3rd respondent and basing on the same, the police are trying to arrest him.

Learned Assistant Government Pleader for Home submitted that basing on the above complaint, the above case was registered and that the respondent police are investigating into the matter.

The petitioner filed the present writ petition challenging investigation in the above crime. This Court is not inclined to interfere with the investigation. However, considering the facts and circumstances of the case and the grievance of the petitioner, without

expressing any opinion on merits, the respondents Nos.2 and 3 are directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for his future appearance before the investigating officer concerned, as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 08, 2016
KTL



RAJA ELANGO, J