

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38508 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 2nd respondent in registering FIR No.14 of 2015 on the file of Guntur Taluq Police Station, Guntur District, as illegal and arbitrary and consequently, set aside the same.

Heard and perused the material available on record.

The 3rd respondent lodged a complaint stating that the petitioner in collusion with another cheated the him by selling the property belong to her, against which a civil suit is pending.

The grievance of the petitioner is that the matter is civil in nature and that the 3rd respondent lodged a private complaint before the Magistrate, and the same was referred to the police without following the due process of law, and that due to pendency of the above crime, the police are harassing the petitioner.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation, considering the facts and circumstances of the case, without going into the merits of the case, the 2nd respondent is 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 personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for her appearance

before the investigating agency 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.

November 09, 2016
KTL

RAJA ELANGO, J



