

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37027 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari to call for records pertaining to F.I.R.No.41 of 2016 for the offence under Section 420 IPC on the file of the third respondent, which is registered on a private complaint filed by the fourth respondent and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the fourth respondent has filed private complaint under Section 156(3) of the Code of Criminal Procedure and that a civil suit, being O.S.No.51 of 2016, is pending adjudication between the petitioner and the fourth respondent and as such, he prays this Court to quash the same.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings at the stage of threshold. However, taking into consideration the fact that the civil suit is pending adjudication between the petitioner and the fourth respondent, the third respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

01.11.2016
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