

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.42437 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the action of the 4th respondent in causing registration of the crime in F.I.R.No.363 of 2016 on the file of the Sangareddy Police Station, Medak District by suppressing the registration of earlier F.I.R.No.66 of 2016 on the file of the Chaderghat Police Station, Hyderabad on the same set of facts against the same persons, since without evidence and enquiry and also without giving any opportunity, as illegal and arbitrary and consequently, quash both F.I.Rs. in so far as petitioners are concerned.

The learned counsel for the petitioners submitted that they are the staff of the Malik Cars Pvt. Ltd., working at different levels in the course of business activity. In fact, their names are not mentioned in both F.I.Rs., but it is alleged in the complaint that the persons working in the Malik Cars Pvt. Ltd also know about the transaction. The 4th respondent has given the present complaint with inordinate delay with an ulterior motive. The petitioners do not commit any offence, much less the alleged offences under Sections 418, 420, 406 and 471 I.P.C.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners, this Court is not inclined to interfere with the proceedings against the petitioners.

However, in view of submissions of the learned counsel for the petitioners, this Court directs the Police concerned to complete the investigation without arresting the petitioners and file the final report, if any, in accordance with law.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

06th December, 2016

skmr

JUSTICE RAJA ELANGO

