

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37499 of 2016

ORDER

This writ petition is filed by the petitioners seeking to call for records in connection with Cr.No.106 of 2016 of Vemulapalli Police Station, Nalgonda District, registered for the offences punishable under Sections 498-A, 495, 504 read with Section 34 IPC and under Sections 3 and 4 of Dowry Prohibition Act and to quash the same.

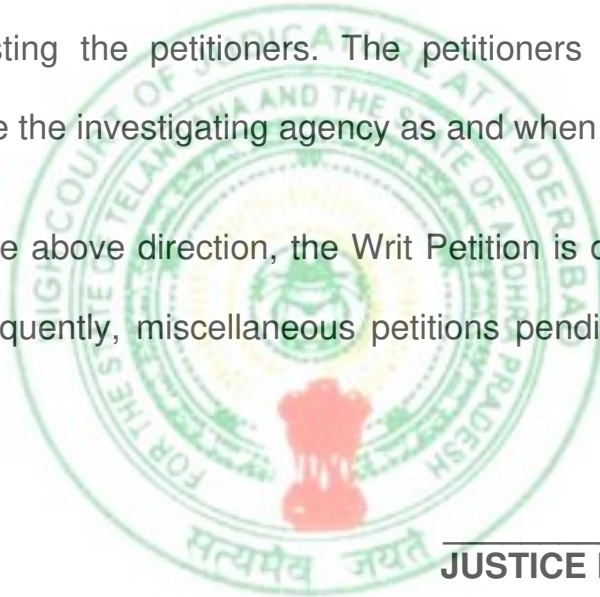
2. It is stated in the affidavit that the 4th respondent lodged a complaint alleging that the 1st petitioner married her by suppressing his earlier marriage with one Varalaxmi and after marriage, all the petitioners started harassing her for additional dowry and also threatened her to perform another marriage to the 1st petitioner. Based on the said complaint, the 3rd respondent registered a case in Cr.No.106 of 2016 for the offences punishable under Sections 498-A, 495, 504 read with Section 34 IPC and under Sections 3 and 4 of Dowry Prohibition Act, against the petitioners. It is stated that the petitioners never demanded any dowry and they were falsely implicated in this case and that the 3rd respondent is trying to arrest them without following due process of law.

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

4. The main grievance of petitioners is that the 3rd respondent did not conduct any enquiry and did not issue any notice to them and that he is trying to arrest them without following due process of law.

5. Considering the facts and circumstances of the case and in view of the grievance of petitioners, without expressing any opinion on merits, respondents Nos.1 to 3 are directed to complete the investigation in Crime No.106 of 2016 of Vemulapalli Police Station, Nalgonda District, and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the investigating agency as and when required.

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



JUSTICE RAJA ELANGO

2nd November, 2016

sj



