

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36771 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in Crime No.344 of 2016 on the file of Bhongir Town Police Station, Yadadri Bhongir District.
2. Heard and perused the material available on record.
3. The complainant, who is none other than the elder brother of the 1st petitioner, filed the complaint in the above crime alleging that in the year 2011, the petitioners along with the active assistant of Nayeem, who was shot dead in an encounter, forced the complainant to execute a sale deed in favour of the 1st petitioner.
4. Admittedly, on perusal of the records and the written instructions submitted by the Assistant Government Pleader, it is evident that civil disputes are pending between the parties, and that the petitioner approached this Court by way of preferring an appeal. Apart from that, it is the case of the petitioners that they are ready to co-operate with the investigating agency and to produce all the relevant documents before the investigating agency.
5. Considering the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into without arresting the petitioners.
6. Accordingly, the official respondents are directed to complete the investigation in Crime No.344 of 2016 on the file of Bhongir Town Police Station, without arresting the petitioners. The petitioners are directed to appear before the 2nd respondent-police daily in between 10 a.m., and 5

p.m., for a period of ten days from 11th November, 2016 and produce all the documents concerned with the above crime. On such production of documents, the official respondents are directed to complete the investigation and file a final report, in any, in accordance with law.

7. Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 2.11.2016

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