

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37358 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the FIR No.197 of 2016 on the file of Huzurnagar Police Station, Nalgonda District, as illegal and arbitrary and consequently, quash the proceedings against him in the above crime.

Heard and perused the material available on record.

The de facto complainant lodged a complaint stating that while she, along with her husband, was returning from their son's house, the petitioner and other accused attacked them with deadly weapons and caused severe bleeding injuries to her husband with an intention to kill him, in connection with a land dispute.

The grievance of the petitioner is that the de facto complainant filed a false complaint keeping in view the disputes between their two families and all the family members of the petitioner were arrested and remanded to judicial custody and with an intention to harass him, his name was also included and in fact, he is no way concerned with the alleged offences.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, without going into the merits, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

November 23, 2016.
KTL



