

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38222 of 2016

ORDER:

This writ petition is filed seeking to quash the FIR No.470 of 2015.

Heard and perused the material available on record.

The case of the petitioner is that in the year 2000, the 3rd respondent purchased a plot No.401, Survey No.366, 367, Huda Colony, Chandanagar, admeasuring 255.22 square yards from one Inturi Ramesh Babu vide Sale Deed bearing Document No.2351 of 2000 and since then, he is in possession of the said plot. In the month of February, 2015, he went to USA and returned back to India in the month of May, 2015. On 11.12.2015, when he went to see his plot, he found that some persons constructed a four floors building, then he asked the labourers and came to know that the petitioner is constructing the building. When the 3rd respondent enquired about the same with the petitioner, he informed that one Ramesh Babu sold the plot to him and he has documents of the said plot. The 3rd respondent stated that the petitioner and others cheated him by forging his signatures and sale deed documents and hence, filed the present complaint.

The grievance of the petitioner is that initially the petitioner had filed CrI.P.No.11700 of 2016 before this Court seeking anticipatory bail and this Court disposed of the said criminal petition vide order, dated 09.09.2016, directing the investigating agency to scrupulously follow the conditions stipulated under Section 41 Cr.P.C. In spite of the said order, the 2nd respondent, basing on the complaint lodged by the 3rd respondent, is pressurising the petitioner to settle the civil dispute of title over the property or to face arrest.

Considering the grievance of the petitioner, the 2nd respondent is directed to complete the investigation in FIR No.470 of 2015, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety to the satisfaction of the 2nd respondent as surety for his future appearance as and when required for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

Date: 8th November, 2016

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RAJA ELANGO,J

