

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36878 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the case registered against the petitioners by the S.H.O. Karimnagar P.S., vide Cr.No.283 of 2016, dated 05-10-2016 under Sections 427, 420, 471, 468, 120-B and 506 I.P.C., as illegal and therefore the same is liable to be quashed and also direct that respondents shall not take any coercive steps against petitioners, including arrest of petitioners in pursuance of registration of case against petitioners vide Cr.No.283 of 2016, dated 05-10-2016 of P.S. Karimnagar.

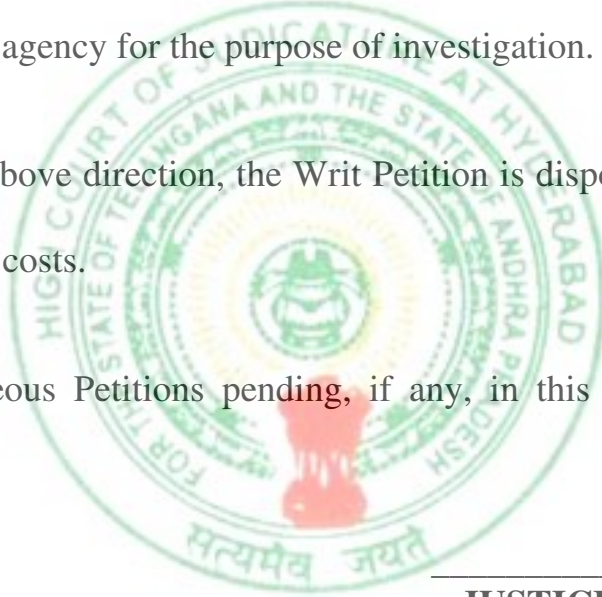
2. Heard and perused the material available on record.
3. The learned counsel for the petitioners contends that there is no truth in anyone of the allegations made in the complaint. The matter is a civil dispute and even according to the complainant, the issue is pertaining to the year 2014 and he lodged the complaint in October, 2016. The Police without examining the genuinity of the complaint, registered the case.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioners and respondent No.2 is investigating the matter in accordance with law.
5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in Crime Nos.282 and 283 of 2016 of GDK-I (T) Police Station, Karimnagar District and file final

report, in accordance with law in either way, without arresting the petitioners.

6. In the event of necessity, the police concerned are directed to issue notice to petitioners for their appearance before the investigating agency for the purpose of investigation in crime Nos.282 and 283 of 2016. On issuance of such notice, the petitioners shall appear before the investigating agency and give an undertaking and also execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with one surety for a like sum to the satisfaction of the S.H.O. concerned for their future appearance as and when required by the investigating agency for the purpose of investigation.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

8. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.



JUSTICE RAJA ELANGO

07.11.2016

skmr