

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37373 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the respondents in registering a case against the petitioners in Crime No.336 of 2016.

Heard and perused the material available on record.

The case of the petitioners is that the marriage of the 1st petitioner and the 4th respondent was performed on 25.12.2013 and due to the unbearable mental torture as the marital ties with the 4th respondent was irretrievably broken in the month of July, 2016, the 1st petitioner has filed a divorce petition vide O.P.No.1578 of 2016, on the file of the Additional Family Court-cum-IV Additional District Judge, Ranga Reddy District and notice was served on the 4th respondent and on receiving the said notice in the divorce case, with the influence of her uncle, she approached the 3rd respondent and foisted a false case against the petitioners and the same was registered as Crime No.336 of 2016 by the 3rd respondent.

Learned counsel for the petitioners submitted that the 4th respondent left her matrimonial house in the month of June, 2014, and the present complaint is lodged in the year 2016.

Even though the present complaint is registered for the offences punishable under Sections 498-A, 307 read with 34 IPC and Sections 3 & 4 of the Dowry Prohibition Act, it is evident from the record that the occurrence took place in the year 2014, whereas the present complaint is lodged in the year 2016.

Considering the grievance of the petitioners and the submissions of the learned counsel for the petitioners, the 3rd respondent is directed to complete the investigation in Crime No.336 of 2016 as expeditiously as

possible and file a final report, if any, either way in accordance with law, without arresting the petitioners.

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

RAJA ELANGO,J

Date: 2nd November, 2016

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