

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40211 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the proceedings in FIR No.83 of 2016, dated 07.06.2016, for offences under Sections 420, 403, 406 & 506 IPC read with 34 IPC and Section 156(3) Cr.P.C., on the file of the 2nd respondent, insofar as the petitioners are concerned, as illegal and arbitrary and consequently set aside the same.

The case of the petitioners is that the *de facto* complainant filed a private complaint before the VIII Additional Chief Metropolitan Magistrate, Hyderabad, against the petitioners and the same has been referred on 07.06.2016 to the 2nd respondent and the same has been registered as FIR No.83 of 2016 on 07.06.2016 under Sections 420, 403, 406, 506 IPC read with 34 IPC and Section 156(3) of Cr.P.C., wherein it is alleged that during the course of business, the petitioners have collected goods worth Rs.10,07,900/- from the *de facto* complaint on seven occasions on credit basis, but the petitioners did not clear the same and finally the petitioners sent four cheques to a tune of Rs.1,50,000/-, but the said cheques were dishonoured on 29.09.2015. The main grievance of the petitioners is that the petitioners apprehend threat of arrest.

Considering the grievance of the petitioners, the 2nd respondent is directed to complete the investigation in FIR No.83 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: 22nd November, 2016

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