

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46255 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in Crime No.612 of 2016 on the file of Mailardevpally Police Station, Cyberabad.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 447, 427 and 506 r/w 34 IPC, alleging that the petitioner and others trespassed into the land of the 3rd respondent, tried to dump bamboos to erect huts and threatened him, whereas it is the case of the petitioner that civil disputes are pending in respect of the land in question and that the allegations made in the complaint are false.
4. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, in view of the fact that the offences alleged against the petitioner are punishable with less than seven years imprisonment, and as the civil disputes are pending between the parties, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the Station House Officer concerned, as surety for his future appearance as and when required for the purpose of investigation.

5. With the above direction, the Writ Petition is disposed of. No costs.
Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 29th December, 2016
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