

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43521 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to quash the FIR No.77 of 2016 on the file of Muppalla Police Station, Guntur District.

Heard and perused the material available on record.

The offences alleged against the petitioners are under Sections 420 and 506 r/w.34 IPC. The allegation is that the petitioner is running a private chit business and the 3rd respondent along with his brother and another relative has subscribed three chits each Rs.3,00,000/- and after paying the entire chits subscriptions, the petitioner paid only part amount, and threatened him with dire consequences, when he asked the balance chit amount.

The learned counsel for the petitioner submitted that the petitioner is innocent of the alleged offences and he is no way concerned with the said offences, and that the 3rd respondent is residing in another village and that he made a false complaint against the petitioner to harass him.

Learned Assistant Government Pleader for Home submitted that basing on the complaint of the de facto complainant, the above crime is registered and that the police concerned are investigating into the matter.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and

circumstances of the case, without going into the merits of the case, this Court is of the view that the investigation in the above case can be completed without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum, for his future appearance before the investigating officer concerned, as and when required for the purpose of investigation.

With the above directions, the writ petition is disposed of. No order as to costs. Pending Miscellaneous Petitions, if any, shall stand closed.

December 15, 2016.
KTL

RAJA ELANGO, J

