

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46085 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 5th respondent in registering FIR No.244 of 2016 on the file of Habeebnagar Police Station, Hyderabad, as illegal and arbitrary, and consequently, quash the same.

Heard and perused the material available on record.

The offence alleged against the petitioner is under Section 506 IPC. On the basis of the complaint lodged by the 6th respondent, the above said case is registered against the petitioner alleging that the petitioner created nuisance in a meeting of Faizal Committee, which was held on 15.12.2016, and he abused the de facto complainant and threatened to kill him.

Learned counsel for the petitioner submitted that there are disputes in the organizing groups of the Faizal Committee, and that the de facto complainant targeted the petitioner and implicated him in the present case and basing on the complaint of the de facto complainant, the police are harassing the petitioner and compelling him to compromise the matter with the de facto complainant.

The learned Assistant Government Pleader submitted that on the basis of the complaint, the above case was registered against the petitioner, and the police concerned are investigating into the matter in accordance with law.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with

the investigation in the above crime, taking into consideration the circumstances of the case, and the grievance of the petitioner, without expressing any opinion on merits, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 5th respondent is directed to complete the investigation and file a final report in the above Crime in either way, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the investigating officer concerned, daily at 9.00 am and 5.00 pm, from 05.01.2017 to 15.01.2017, and also execute a 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.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 29, 2016.
KTL

