

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38566 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records relating to FIR No.435 of 2016 on the file of Kukatpally Police Station, Cyberabd District, registered for the offences under Sections 420 and 406 IPC, and consequently, quash the same.

Heard and perused the material available on record.

The allegation against the petitioner is that though he is not a member of the TNGO's Co-operative Housing Building Society, he has sold (9) plots of the Society to different persons, which were already allotted to the members of the Society. The grievance of the petitioner is that the 3rd respondent has already lodged a report with the same set of allegations in Crime No.577 of 2014 on the file of Mailardevpally Police Station, alleging that the resolution made authoring the petitioner is a fake one and that he has also filed civil suits in that regard, therefore, the present case is not maintainable and with a view to harass the petitioner, the present case is registered.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioner and others, and that the respondents 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, considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits of the

case, the 2nd respondent is directed to complete the investigation in the above crime and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for his future appearance for the purpose of investigation.

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

November 09, 2016
KTL

RAJA ELANGO, J



