

**HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.38197 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 FIR No.367 of 2016 on the file of III Town Law & Order Police Station, Visakhapatnam.

2. Heard and perused the material available on record.

3. The grievance of the petitioner is that he filed a case against the 3<sup>rd</sup> respondent for the offence under Section 138 of the Negotiable Instruments and he also filed a civil suit against the 3<sup>rd</sup> respondent for recovery of the amount due to him and as a counter-blast, the 3<sup>rd</sup> respondent filed a false complaint against the petitioner.

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, considering the grievance of the petitioner, without expressing any opinion on merits, 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.10,000/- (Rupees Ten 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 required.

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: 8<sup>th</sup> November, 2016

Nn

HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.38197 of 2016

Date: 8<sup>th</sup> November, 2016

Nn