

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43672 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in F.I.R.No.263 of 2016 on the file of Central Crime Station, Hyderabad against the petitioners.

2. Heard and perused the material available on record.
3. Case of the petitioners is that respondent No.3 filed a false complaint against them before respondent No.2 and the same was registered as the aforementioned case for the offences punishable under Sections 420, 467, 468, 471, 474, 477(A), 109 and 120(B) read with 34 I.P.C.; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and hence, prays to quash the proceedings in the said crime.
4. Learned counsel for the petitioners submitted that the petitioners received notice under Section 41-A Cr.P.C. and they are cooperating with the Investigating Officer for investigation.
5. Learned Assistant Government Pleader for Home informed that the petitioners are simply appearing before the Investigating Officer and they are not cooperating with the investigation and not producing any receipts or documents as required by the Investigating Officer.
6. Considering the facts and circumstances of the case and the rival contentions, without expressing any opinion on merits, since

respondent No.2 has already issued a notice under Section 41-A Cr.P.C., respondent No.2 is directed to follow the procedure in accordance with law while investigating the matter.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

8. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

21.12.2016
AMD



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AMD