

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42377 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records pertaining to Crime No.116 of 2016 of Women Police Station, East Godavari District, registered for the offences under Sections 498-A r/w.34 IPC and 3 & 4 of the Dowry Prohibition Act, and consequently, quash the same.

The case in brief is that the de facto complainant – 3rd respondent is the daughter-in-law of the petitioners 1 and 2, and the other petitioners are their daughters and sons-in-law. The 3rd respondent lodged a complaint before the 2nd respondent stating that the marriage between her and the son of the petitioners 1 and 2 was performed on 19.03.2014 and few days thereafter, the petitioners are started harassing her demanding additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the petitioners never harassed the 3rd respondent demanding additional dowry, that after marriage, the 3rd respondent joined the company of her husband at Bangalore and thereafter, she went to her parents' house since her husband went to USA, and that she never lived with the petitioners 1 and 2 and the others petitioners are living at their places.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

The petitioners filed this writ petition challenging the 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 facts and circumstances of the case, without going into the merits of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance as and when required for the purpose of investigation.

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

RAJA ELANGO, J

December 06, 2016.
KTL

