

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35320 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 Crime No.297 of 2016 on the file of Thadepalli Police Station, Guntur District.
2. Heard and perused the material available on record.
3. It is stated in the affidavit that at the instance of one Royala Subba Rao, the 4th respondent falsely registered a case in Crime No.59 of 2016 against the petitioner and then, the petitioner approached this Court to quash the said FIR. This Court passed orders directing the investigating agency concerned to complete the investigation without arresting the petitioner. When the 4th respondent along with four unknown persons came to the office of the petitioner and tried to take him away, he furnished the copy of the said order and then, the 4th respondent abused him in filthy language and created a big scene in his office. Then, the petitioner lodged a complaint against the 4th respondent and the same was registered as Crime No.296 of 2016. As a counter blast to that complaint, the 4th respondent lodged the present complaint against the petitioner.
4. The petitioner 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, but taking into consideration the case and counter cases against the petitioner and the 4th respondent, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

5. Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the 3rd respondent in between 10 a.m., and 5 p.m., on every Monday for a period of four weeks.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 20th October, 2016
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