

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35546 of 2016

ORDER:

This writ petition is filed seeking to issue a writ of Certiorari, calling for the records pertaining to FIR in Crime No.280 of 2016 of I-Town Police Station, Godavarikhani, Karimnagar District, and quash the same.

Heard and perused the material available on record.

The case of the petitioners is that the 1st petitioner is the absolute owner of land admeasuring Acs.3.18 guntas situated in Markandeya Colony, Godavarikhani, Karimnagar, and in the year 1989, when a dispute raised by his vendor and others, he filed a civil suit viz., O.S.No.1597 of 1989 and obtained decree in his favour. Thereafter, an extent of 265 sq. yards of land was sold to the 3rd respondent. When some disputes arise between the 3rd respondent and some unknown persons, the 3rd respondent, instead of settling the disputes in civil Court, filed a complaint against the petitioners stating that the 1st petitioner is not the owner of the said land. Basing on the said complaint, the 2nd respondent registered the present crime and trying to apprehend the petitioners.

Learned counsel for the petitioners submitted that the issue is arising out of a civil dispute, and the 1st petitioner never cheated the 3rd respondent and that in view pendency of the above crime, the petitioners are apprehending arrest and harassment in the hands of police.

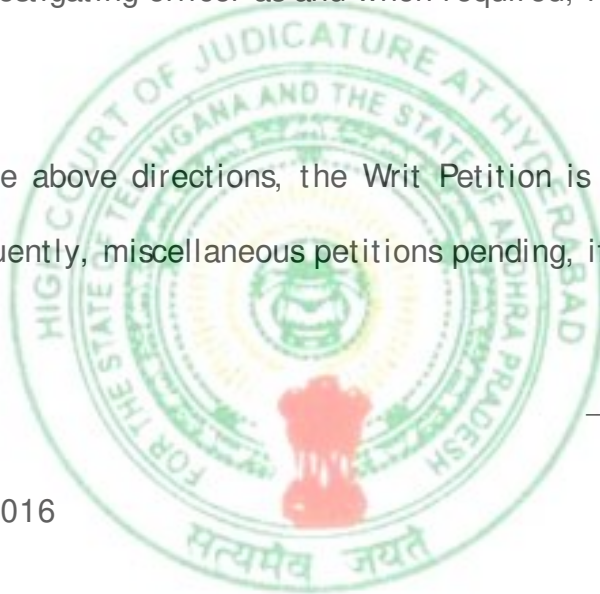
Learned Assistant Government Pleader for Home submitted that basing on the complaint filed by the 3rd respondent, the present crime is registered and that the police are investigating the matter.

Considering the circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in Crime No.280 of 2016 of I-Town Police Station, Godavarikhani, Karimnagar District, and file a final report in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer as and when required, 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.

October 21, 2016

KTL



RAJA ELANGO, J