

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37523 of 2016

ORDER

This writ petition is filed by the petitioner seeking to declare the FIR in Cr.No.149 of 2015 of Wardhannapet Police Station, Warangal Urban, Warangal District, as illegal and arbitrary and consequently to quash the same.

2. It is stated in the affidavit that the 6th respondent lodged a complaint alleging that the petitioner induced him to purchase the industry, namely, Mega Solvent Extraction Limited, by suppressing the material facts i.e., production capacity and shares, thereby cheated him. Based on the said complaint, the 5th respondent registered a case in Cr.No.149 of 2015 for the offences punishable under Sections 420, 415 and 406 IPC against the petitioner. It is stated that the petitioner has been falsely implicated in this case and that the 5th respondent is trying to arrest him without following due process of law.

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

4. The main grievance of petitioner is that the 5th respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest him without following due process of law.

5. Considering the facts and circumstances of the case and in since the complaint was lodged in the year 2015, without expressing any opinion on merits, respondents Nos.1 to 5 are directed to complete the investigation in Crime No.149 of 2015 of Wardhannapet Police Station, Warangal Urban and District and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the investigating agency as and when required.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.



JUSTICE RAJA ELANGO

2nd November, 2016

sj

