

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45746 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the proceedings against him in FIR No.246 of 2014 on the file of Central Crime Station, Hyderabad, as illegal and arbitrary, and consequently, quash the same.

Heard and perused the material available on record.

The offences alleged against the petitioner are under Sections 408, 406 and 420 r/ w.120-B IPC. The allegation against the petitioner is that he deceived the de facto complainant that he is doing business in copper and zinc and induced him to invest money in the business and believing his words the de facto complainant invested huge amount and thereafter, he came to know that the petitioner is not doing any business and that cheated him.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and that he never stated that he is doing business in copper and zinc and without there being any specific allegations, the de facto complainant made the present complain with a view to harass the petitioner.

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

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, taking into consideration the circumstances of the case, and the grievance of the petitioner, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 3rd respondent is 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 also directed to appear before the investigating officer concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his future appearance before the investigating officer as and when required for the purpose of investigation.

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

RAJA ELANGO, J

December 27, 2016.
KTL

