

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38955 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to call for the records in Crime No.100 of 2016 and to quash the same.

Heard and perused the material available on record.

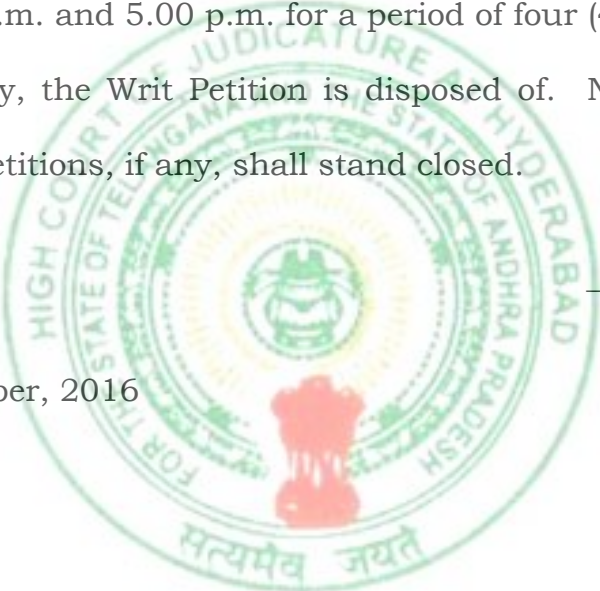
The case of the petitioners is that basing on a complaint given by one Balaji, the Registrar of Mutually Aided Co-operative Society, Hyderabad, appointed the Deputy Registrar of Co-operative Society/Enquiry Officer, Devuni Kadapa Police Department Employees Mutually Aided Co-operative Housing Building Society, Kadapa City, Y.S.R. District, as an Inquiry Officer to conduct inquiry on the allegations levelled against the President of the society and submit his report within the stipulated time through the proceedings, dated 03.12.2015. The Inquiry Officer, after conducting enquiry, submitted a report to the District Co-operative Officer and basing on the Inquiry Report submitted by the Inquiry Officer, the Special Commissioner and Registrar of Co-operative Society, vide proceedings, dated 01.06.2016, directed the District Co-operative Officer, Kadapa, to initiate civil as well as criminal action against one N. Chandra Sekhar Reddy and in pursuance of the same, the District Co-operative Officer, Kadapa, authorized the 3rd respondent through proceedings, dated 28.10.2016, to initiate criminal action against N.Chandra Sekhar Reddy and also the past committee members and basing on the same, the 3rd respondent lodged the present complaint on 29.09.2016 against the petitioners and N.Chandra Sekhar Reddy and basing on the same, the 2nd respondent registered the same as Crime No.100 of 2016, for the offences under Sections 406, 409 & 420 IPC and Section 38(4) of the A.P. Mutually Aided Co-operative Society

Act, 1995. The main grievance of the petitioners is that if the petitioners are prosecuted for the alleged offences for which the present crime is registered, then they will be put to grave and irreparable loss.

On perusal of the record, it is evident that the entire case can be investigation based on the documents available with the 3rd respondent.

Having regard to the same, the 2nd respondent is directed to complete the investigation in Crime No.100 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to report before the 2nd respondent weekly twice i.e., every Monday and Thursday, between 10.00 a.m. and 5.00 p.m. for a period of four (4) weeks.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.



RAJA ELANGO,J

Date: 7th December, 2016

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