

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION Nos.44777 & 44947 OF 2016

COMMON ORDER:

These writ petitions are filed under Article 226 of the Constitution of India seeking to quash the proceedings in Crime No.665 of 2015 on the file of Women Police Station, DD, Hyderabad and to recall the Look out circular issued against the petitioner.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.4 filed a false complaint against him before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 498-A and 406 I.P.C. and Sections 4 and 6 of the Dowry Prohibition Act, 1961; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law and that respondent No.3 issued look out circular against him.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.

5. After hearing both sides, this Court is not inclined to interfere with the investigation at this stage. Considering the facts and circumstances of the case and the grievance of the petitioner and also in view of the fact that the petitioner is ready to cooperate

with the investigation, these writ petitions are disposed of with the following directions:

a) Respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner.

b) The look out circular issued against the petitioner is hereby suspended and the petitioner is directed to surrender before the Court concerned on or before 30.1.2017 and on such surrender, the Court concerned shall release him on execution of a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum. Further, whenever the petitioner intends to leave abroad, he shall file an affidavit before the Court concerned informing the date of his leaving and the date of his appearance before the said Court.

There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in these Writ Petitions shall stand closed.

22.12.2016
AMD

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Date: 22.12.2016

AMD