

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No. 42712 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.2- Station House Officer, Kushaiguda, Hyderabad, in registering Crime No.464 of 2016 against the petitioner for the offences punishable under Sections 419, 420, 468 and 471 read with 34 IPC, as arbitrary and illegal and consequently, set aside the same.

2. It is alleged in the complaint that the complainant purchased open plot admeasuring 270 square yards situated at Bhavani Nagar, Kapra, Keesara Mandal through a registered sale deed, dated 12.12.1988. On 07.07.2016 when complainant went to plot, she found one double stored building was constructed in the plot. On enquiry, she came to know that some unknown persons executed sale agreement-cum-GPA in favour of B.Srikanth and accused person. The accused person along with said Srikanth had colluded together and hatched a plan with criminal conspiracy with the help of others got registered the document and constructed the building.

3. The learned Assistant Government Pleader submitted that on the basis of the 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 the petitioner is that the 2nd respondent did not conduct any enquiry and did not issue any

notice to him and that he is trying to arrest the petitioner without following due process of law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondents No.2 is directed to complete the investigation in Crime No.464 of 2016 of Kushaiguda Police Station, Cyberabad, and file a final report, in accordance with law in either way, without arresting the petitioner.

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

December 08, 2016
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Date:08.12.2016

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