

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42862 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in Remand Case Diary, dated 11.8.2016, arising out of Crime No.222 of 2016 on the file of Keesara Police Station, Cyberabad against the petitioners.

2. Heard and perused the material available on record.

3. Case of the petitioners is that basing on the complaint lodged by respondent No.3, respondent No.2 registered the aforementioned case initially against A-2 for the offences punishable under Sections 448, 427 and 420 I.P.C., but the remand case diary of respondent No.2 shows A-1 as an unknown person and the petitioners herein as A-3 and A-4 and Sections 468 and 471 read with 34 I.P.C. are added and that respondent No.2 is trying to arrest them without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioners and respondent No.2 is investigating the matter in accordance with law.

5. The petitioners herein are the witnesses to the sale deed in question. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.2 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 petitioners. The petitioners are directed to appear before respondent No.2 and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their appearance as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

9.12.2016
AMD



JUSTICE RAJA ELANGO

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Date: 9.12.2016

AMD