

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38513 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records relating to FIR No.104 of 2015 of Pakala Police Station, Chittoor District, and consequently, set aside the same.

Heard and perused the material available on record.

A complaint was lodged against the petitioner by the de facto complainant stating that the petitioner sold his property to the de facto complainant and after receiving the entire sale consideration, and a registered sale deed was executed in favour of the de facto complainant and later it came to know that the said property was already sold to a third party and when the de facto complainant questioned the same, the petitioner threatened him with dire consequences.

Learned counsel for the petitioner submitted that the petitioner is no way concerned with the allegations levelled against him and with a view to extract money, the present private complaint is lodged and the same was referred to the police without following the due procedure, and that entire issue relates to civil dispute and therefore, he requested to allow the writ petition.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation, considering the facts and circumstances of the case, without going into the merits of the case, the respondents 2 to 4 are directed to complete the investigation in the above crime and file a final report, in accordance with law in either way, without arresting the

petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum each, for their appearance before the investigating agency as and when required, for the purpose of investigation.

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

November 09, 2016  
KTL

RAJA ELANGO, J



