

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36149 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in Crime No.288 of 2013 on the file of Muvvalavanipalem Police Station (VSP III Town Police Station), Visakhapatnam City, Visakhapatnam District.
2. Heard and perused the material available on record.
3. The 4th respondent lodged the complaint in the above FIR alleging that the accused lured that they will provide some higher post to her husband. Believing their words, she paid amount to A3 in the presence of the petitioner. But the accused did not do so. When she demanded for return of the money, they did not return the same. It is the grievance of the petitioner that no specific overt acts were attributed against the petitioner and that even the allegations do not constitute any offence and even according to the 4th respondent, the said incident took place in the year 2007-2008 and the complaint was lodged in the year 2013 and that the petitioner never took money as alleged.
4. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, this Court is of the view that the investigation can be completed without arresting the petitioner.

5. Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 26th October, 2016

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Date: 26th October, 2016

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