

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.42426 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the action of the 2nd respondent in registering a case against the petitioner in crime No.283 of 2016 of Miryalaguda I Town Police Station, Nalgonda District for the offences under Sections 224 and 353 I.P.C. as illegal and arbitrary and consequently quash the criminal proceedings in the said crime against the petitioner.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

The learned counsel for the petitioner submitted that in fact, the de facto-complainant in C.C.No.1307 of 2013 on the file of the Court of Judicial First Class Magistrate at Miryalaguda, Nalgonda District, which arose out of Crime No.260 of 2013 and the petitioner & others compromised the matter out of court and the de facto-complainant and the petitioner filed the compromise petition before the Court concerned and the same was also allowed by quashing the proceedings against the petitioner in C.C.No.1307 of 2013. It is further submitted that the allegations mentioned in the F.I.R. are baseless and even accepted the same as true, no case is made out against the petitioner.

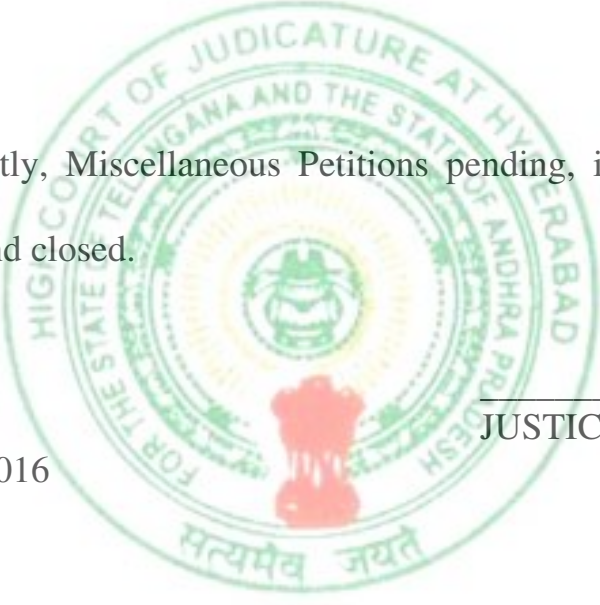
Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner. However, in view of the submission of the learned counsel for the petitioner, this Court directs the Police concerned to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

06th December, 2016

skmr



JUSTICE RAJA ELANGO