

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36988 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to quash the proceedings in F.I.R. No.620 of 2016 on the file of Madhapur (Guttala) Police Station, Cyberabad, R.R.District as against the petitioners.

The case of the petitioners is that basing on the complaint lodged by 3rd respondent, the 2nd respondent registered a case in F.I.R. No.620 of 2016 against the petitioners, who are arrayed as A.5 & A.6, along with others for the offences punishable under Sections 420, 468, 471, 199, 200 and 210 IPC, on being referred by concerned Magistrate under Section 156(3) Cr.P.C. It is the grievance of the petitioners that they are not at all concerned with the alleged crime and that even as per the allegations in the complaint, it is a civil dispute.

The learned Additional Government Pleader for Home submitted that since a complaint is forwarded by the Magistrate under Section 156(3) Cr.P.C., the 2nd respondent registered the present crime in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to face the trial, but, however, they are apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the above, the 2nd respondent is directed to complete the investigation in F.I.R. No.620 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The

petitioners are directed to appear before the 2nd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

31.10.2016.
Tsr

RAJA ELANGO,J



