**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.37370 of 2016**

**ORDER:**

This writ petition under Article 226 of Constitution of India is filed seeking to call for the records relating to and connected with FIR No.300 of 2016 and quash or set aside the same.

Heard and perused the material available on record.

The allegations made in the complaint are that about three years back, A-1 and A-2 came to her house and took her Aadhaar card stating that the same is needed for opening bank account and she gave the same and she came to know that A-1 and A-2 with the assistance, collusion, conspiracy of A-3 and others created PAN card on her name and created a firm M/s. V.P. Technologies, naming her as proprietor of the said firm and with the collusion of the bank authorities forging the signatures of her and opened a current account on the name of the above firm in ICICI Bank, Hanamkonda Branch and drawn an amount of Rs.41,10,878/- in the year 2015 and the same was closed in the month of January, 2016. After she came to know the above facts, she gave a legal notice on 31.08.2016 to the accused and bank authorities and complaint was lodged to the police on 06.08.2016, but they failed to take any action and hence, a private complaint was filed in the VI Additional Judicial Magistrate of First Class, Warangal, against the petitioners for the offences under Sections 420, 419, 506 read with 34 IPC on 16.09.2016 and the same was referred to the 3rd respondent, who registered the same as Crime No.300 of 2016 under Sections 420, 419, 506 read with 34 IPC on 28.09.2016.

Learned counsel for the petitioners contended that a false case is lodged against the petitioners by the 4th respondent and same was

registered since the same was forwarded by the learned Magistrate by invoking the provisions under Section 156(3) of Cr.P.C.

After hearing the rival contentions and as there is an element of matrimonial dispute between the petitioners and the 4th respondent in the complaint, this Court is of the view that the entire case can be investigated basing on the documents available with the ICICI Bank.

Having regard to the same, the 3rd respondent is directed to complete the investigation in FIR No.300 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to report before the 3rd respondent daily at 10.00 a.m. from 14.11.2016 to 18.11.2016 and shall produce all relevant documents for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

**RAJA ELANGO,J**

Date: 2nd November, 2016

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