

THE HON'BLE SRI JUSTICE M.S. RAMACHANDRA RAO

WRIT PETITION No.31084 of 2016

ORDER:

Heard the learned counsel for petitioner and the learned Government Pleader for Home appearing for respondent Nos.1 to 3.

2. Petitioner has filed this Writ Petition seeking a direction to the 3rd respondent to register a case against 4th respondent for certain offences under the Indian Penal Code.

3. A reading of the complaint dt.21-03-2016 made by petitioner indicates that there are certain civil disputes pending between the petitioner and the 4th respondent and certain allegations with regard to pleadings in the civil suit. These are matters for the Civil Court to go into and the 4th respondent cannot be prosecuted at this stage for those averments.

4. There are also references to 2 F.I.Rs. i.e. F.I.R.No.269 dt.30-07-2012 and F.I.R.No.271 dt.31-07-2012 allegedly lodged by 4th respondent against the petitioner. Since the matter did not proceed beyond the F.I.R. stage, it cannot be said that there is any malicious prosecution warranting criminal prosecution against the 4th respondent.

5. Therefore I do not find any merit in the Writ Petition and the same is accordingly dismissed. No costs.

6. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 19-09-2016
Vsv

