

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37754 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records relating to FIR No.551 of 2015 on the file of Penamaluru Police Station, Vijayawada, Krishna District, against the petitioner for the offence under Section 420 IPC, and consequently, set aside the same.

Heard and perused the material available on record.

The case of the petitioner is that on the complaint lodged by the 3rd respondent stating that the petitioner and another approached him to sell an extent of 220 sq.yrds., of land and took an amount of Rs.10,00,000/-, but after receiving the said amount, they did not register the land in his favour. When he went to see the land, he did not find any vacant site, but there is a road existing in that site.

Learned counsel for the petitioner submits that the petitioner is innocent of offences alleged against him and as per the complaint also, the offence took place in the year 2011 and the complaint is lodged in 2015, therefore, a false case has been registered against him due to some political rivalry.

Considering the facts and circumstances of the case and the grievance of the petitioner and also the case pertains to the year 2015, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer

concerned, daily between 10.00 am and 5.00 pm, for a period of (10) days, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 04, 2016.
KTL

