

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION Nos.45037 & 45126 of 2016

COMMON ORDER:

These two writ petitions under Article 226 of Constitution of India are filed by the same petitioner questioning the registration of proceedings in F.I.R. No.140 of 2016 on the file of 3rd respondent and also the issuance of Lookout Circular against him.

The petitioner is the husband of 4th respondent. Due to the matrimonial disputes, on the complaint lodged by 4th respondent, the 3rd respondent registered a case against the petitioner herein in Crime No.140 of 2016 for the offences punishable under Sections 498-A, 406 IPC and Sections 4 & 6 of Dowry Prohibition Act. The grievance of the petitioner is that all the allegations levelled by the 4th respondent are false and the 3rd respondent without ascertaining the genuineness of the same, registered the F.I.R. and proceeding with the investigation and trying to arrest the petitioner and also issued Lookout Circular against the petitioner, who is employed in Jeddah.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to travel to India to settle the issue and cooperate with the investigation, but, however, he is apprehending arrest and harassment in the hands of 3rd respondent-police and also seeks to suspend the Lookout Circular.

Considering the facts and circumstances of the case, the 3rd respondent is directed to complete the investigation in Crime No.140 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The Lookout Circular issued against the petitioner is suspended. The petitioner is directed to appear before the 3rd respondent-police as and when required during the course of investigation.

Accordingly, the writ petitions are disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

23.12.2016.
Tsr



RAJA ELANGO,J

