

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45941 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records pertaining to FIR No.368 of 2016 on the file of the Golconda Police Station, Hyderabad, and quash the same.

Heard and perused the material available on record.

The offences alleged against the petitioners are under Sections 498-A, 313, 324, 504 and 506 IPC and 3 and 4 of the Dowry Prohibition Act. The de facto complainant is the wife of the petitioner. The allegations against the petitioner are that he harassed the de facto complainant physically and mentally demanding additional dowry.

Learned counsel for the petitioner submitted that the petitioner never harassed the de fact complainant demanding additional dowry, and in fact she is harassing the petitioner and she is in the habit of always quarrelling with the petitioner and with a view to harass the petitioner she filed the present false complaint.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioner and others, and the police concerned are investigating into the matter in accordance with law.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the circumstances of the case, and the grievance of the petitioner, this

Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 4th respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his future appearance before the investigating officer concerned, as and when required for the purpose of investigation.

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

December 28, 2016.
KTL

RAJA ELANGO, J



