

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44392 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2nd respondent in registering the FIR No.93 of 2016 on the file of Women Police Station, Karimnagar, as illegal and arbitrary, and quash the same.

The case in brief is that the de facto complainant –3rd respondent is the wife of the 1st petitioner and the other petitioners are the family members of 1st petitioner. The 3rd respondent made a complaint before the 2nd respondent alleging that the petitioners harassed her physically and mentally and ill-treated her by demanding additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the petitioners never harassed the 3rd respondent demanding additional dowry, and that the 3rd respondent herself left the company of the 1st petitioner and therefore, the 1st petitioner filed FCOP No.715 of 2014 on the file of the Family Court, Hyderabad, and after filing of the above OP, the present complaint is filed with false allegations.

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

The petitioners filed this writ petition challenging the 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 since the issue arises out of matrimonial dispute, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance before the investigating officer as and when required for the purpose of investigation.

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

December 20, 2016.
KTL

RAJA ELANGO, J



