

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42609 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare FIR No.233 of 2016 on the file of Women Police Station, Saroornagar, Cyberabad, as illegal and arbitrary, and consequently, quash the proceedings against them in the above case.

Heard and perused the material available on record.

The offences alleged against the petitioners are under Sections 498-A and 307 IPC and 3 & 4 of the Dowry Prohibition Act. The allegation against the petitioners is that they harassed the de facto complainant - 3rd respondent demanding additional dowry, and also beat her.

The grievance of the petitioners is that the 3rd respondent gave a false complaint against the petitioners and in fact, the 3rd respondent started quarrelling with the 1st petitioner when his parents came to see them and threatening him that she would commit suicide, if he went along with his parents to drop them, and when the 1st petitioner called her parents, they all beat the 1st petitioner, and in that connection, he also gave a report to the Shamirpet police on the same day, which was registered as Crime No.327 of 2016 for the offences under Sections 448, 324 and 506 r/ w.34 IPC.

The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, without going into the merits of the case, this

Court is of the view that the investigation can be completed 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 in either way, 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 concerned, as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

December 07, 2016.
KTL

RAJA ELANGO, J

