

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39843 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.63 of 2016 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act. It is the grievance of the petitioners that the 3rd respondent, who is the wife of the 1st petitioner, has been harassing the 1st petitioner to set up a family at Hyderabad from the date of marriage and she is not interested to stay with the parents of the 1st petitioner. The 3rd respondent went to her parents' house on 3.8.2015 and she refused to join the 1st petitioner. Then, the 1st petitioner filed OP for divorce and after receiving notices, the 3rd respondent filed the present complaint with false allegations.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, considering the grievance of the petitioners, without expressing any opinion on merits, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

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

RAJA ELANGO, J

Date: 18th November, 2016
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