

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41030 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to call for the records in FIR No.1128 of 2016 and to quash the same.

Heard and perused the material available on record.

The case of the petitioner is that the 3rd respondent lodged the present complaint against the petitioner, which was registered by the 2nd respondent as FIR No.1128 of 2016 for the offences under Section 392 IPC, alleging that on 26.09.2016, when the 3rd respondent along with his friend collected an amount of Rs.1,00,000/- from one Praveen Yadav at Chaitanyapuri, and called the petitioner, who is his friend to meet him, then when the petitioner and Sajeed came to meet the 3rd respondent, 7 unknown persons came there to steal the amount forcibly and in that process, the said persons robbed the amount from the 3rd respondent and ran away.

Learned counsel for the petitioner submitted that the petitioner is only aged about 25 years and he is a student and that he is not having any previous cases and that the petitioner's arrest would spoil his future.

Considering the grievance of the petitioner and the submissions of the learned counsel for the petitioner, the 2nd respondent is directed to complete the investigation in FIR No.1128 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to report before the 2nd respondent daily

between 10.00 a.m. and 5.00 p.m. for a period of ten (10) days. The petitioner is further directed to execute a personal bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with one surety to the satisfaction of the 2nd respondent as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 30th November, 2016

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