

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42583 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to call for the records relating to Crime No.359 of 2016 on the file of Hanamkonda Police Station, Warangal, Warangal Urban District, and quash the same.

Heard and perused the material available on record.

The offences alleged against the petitioners are under Sections 420, 506 and 509 IPC. The allegation against the petitioner is that when the 4th respondent approached the 1st petitioner for a loan of Rs.10,00,000/-, he gave the said amount and took her signatures on ten blank promissory notes and also on white papers. Subsequently, she repaid the entire amount. But, the 1st petitioner, without returning her promissory notes, is harassing her to pay another 10,00,000/- basing on the promissory notes took from the 4th respondent. The grievance of the petitioners is that the 4th respondent took an amount of Rs.20,00,000/- from the 1st petitioner as a hand loan by executing a promissory note and when he asked for repayment of the same, she filed the above complaint with false allegations in collusion with the 3rd respondent.

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 3rd 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. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

December 07, 2016.
KTL

RAJA ELANGO, J

