

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39892 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 2nd respondent in issuing FIR No.744 of 2016 under Sections 468, 506, 447, 427 read with 34 IPC, as illegal and arbitrary.

The grievance of the petitioners is that the 3rd respondent lodged the present complaint alleging that the father-in-law of the 3rd respondent purchased a plot bearing No.457, admeasuring 350 square yards in Survey No.59/part, situated at Meerpet, Karmanghat, vide sale deed bearing Document No.3588 of 1983 from Visvaraya Engineers Co-operative Housing Society, and later he transferred the said property to his younger daughter, who is the 3rd respondent's wife through will and that when the 3rd respondent visited the said plot, he noticed that some persons criminally trespassed into the plot and build a layer of stone masonry work on three sides and erected a board in the name of Ashok Reddy.

Learned counsel for the petitioners submitted that though the petitioners have lodged a complaint against the 3rd respondent on 06.05.2016, the 2nd respondent has not taken any steps to register the said complaint, but when the 3rd respondent lodged the present compliant against the petitioners, the 2nd respondent registered the above said crime by wrongly implicating the names of the petitioners in the above said crime. Learned counsel for the petitioners further submitted that the petitioners are ready to co-operate with the investigation.

Considering the grievance of the petitioners and the submissions of the learned counsel for the petitioners, the 2nd respondent is directed to

complete the investigation in FIR No.744 of 2016 as expeditiously as possible, and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety each to the satisfaction of the 2nd respondent as surety for their 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: 18th November, 2016

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