

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41707 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records relating to FIR No.286 of 2016 on the file of Ramgopalpet, Hyderabad City, and quash the same.

Heard and perused the material available on record.

The de facto complainant and the 3rd respondent are partners of M/s.Indu Polymers, Ferozguda, R.R. District. The de facto complainant made a private complaint against the petitioner, alleging offences under Sections 420, 406, 464, 468, 471 and 380 IPC.

The grievance of the petitioner is that on the earlier occasion also, the de facto complainant made a private complaint against the petitioner with the same set of facts and that the same was registered as Crime No.336 of 2014 on the file of Balanagar Police Station, Hyderabad, for the offences under Sections 420, 403, 406, 339, 506 and 380 IPC which is pending investigation. Again he filed the present complaint before the XI Additional Chief Metropolitan Magistrate, Secunderabad, which was referred to the police for investigation without following the procedure.

Considering the facts and circumstances of the case and the grievance of the petitioner, without going into the merits, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above crime, in accordance

with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for his appearance before the investigating officer as and when required, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 01, 2016.
KTL

RAJA ELANGO, J

