

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45758 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the proceedings against them in FIR No.478 of 2016 on the file of Nizamabad Rural Police Station, Nizamabad District, as illegal and arbitrary, and consequently, quash the same.

Heard and perused the material available on record.

The offences alleged against the petitioners are under Sections 498-A, 494 and 420 IPC. The de facto complainant is the wife of the 1st petitioner and the other petitioners are the parents of the 1st petitioner. The allegation against the petitioners is that they harassed the de facto complainant physically and mentally demanding additional dowry and 1st petitioner married another woman.

Learned counsel for the petitioners submitted that the petitioners never harassed the de facto complainant demanding additional dowry, and due to the disputes between them, the de facto complainant implicated the petitioners in a false case.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the police concerned are investigating into the matter in accordance with law.

The petitioners filed this writ petition challenging the investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the circumstances of the case, and the grievance of the

petitioners, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

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 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 as and when required for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 27, 2016.
KTL

RAJA ELANGO, J



