

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37980 OF 2016

ORDER:

This writ petition is filed seeking to quash the proceedings in F.I.R.No.113 of 2016 on the file of Mulugu Police Station, Medak District against the petitioner.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.3 filed a private complaint against him before the Additional Judicial First Class Magistrate, Gajwel and the same was referred to respondent No.2 for registration of F.I.R. and investigation and respondent No.2 registered the same as the aforementioned case for the offences punishable under Sections 420 and 406 read with 34 I.P.C.; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.2 is trying to arrest him without following the due process of law.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.2 is investigating the matter in accordance with law.
5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner.

However, the petitioner shall appear before the investigating officer as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

4.11.2016
AMD



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