

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40640 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari to call for the records pertaining to F.I.R.No.391 of 2016 registered on the file of the second respondent for the offences under Sections 467, 468, 471, 477-A, 406 and 420 IPC and quash the same.

Heard and perused the material.

The main grievance of the petitioner is that the third respondent lodged the present complaint against the petitioner and others alleging that they colluded with each other and cheated the third respondent's company by creating fake airway bills, invoices and consignments, which are not booked and claimed excess amount of Rs.16,65,00,000/- and caused heavy loss to the third respondent's company.

Learned counsel for the petitioner submitted that the third respondent came to know about the alleged facts in the year 2015, but the complaint is lodged in the month of September, 2016 and thus, there is an inordinate delay in lodging the complaint and that the said delay is not explained.

Considering the grievance of the petitioner and the submissions of the learned counsel for the petitioner, the second respondent is directed to complete the investigation, without arresting the petitioner, with the help of the records available in the third respondent's company, as expeditiously as possible, and file final report, if any, in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

23.11.2016
pln