

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42956 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in Crime No.311 of 2016 on the file of the Station House Officer, Shahinayathgunj Police Station, Hyderabad City.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 384, 448, 427 and 506 r/w 34 IPC. It is alleged that when the 4th respondent wanted to construct a house in her site, the petitioners objected and demolished the compound wall. It is the case of the petitioners that the 3rd petitioner is the owner of the site in which the 4th respondent started constructions and she encroached into the site of the petitioners.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, taking into consideration the fact that the present complaint has arisen out of disputes with regard to erection of a compound wall, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

5. With the above direction, the Writ Petition is disposed of. No costs.
Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 9th December, 2016
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