

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42385 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records relating to Crime No.224 of 2016 on the file of Mulugu Police Station, Jayashankar (Bhupalpally) District, registered for the offences under Sections 120b, 198, 199, 403, 420, 424, and 427 IPC, and quash the same.

The case in brief is that the de facto complainant lodged a private complaint, alleging that the petitioners offered to sell an extent of Acs.13.00 guntas of land to the de facto complainant, and after receiving advance amount, they refused to register the property in his favour.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the allegations against the petitioners are false, and infact, the de facto complainant failed to pay the balance amount to the petitioners and he is not coming forward for registration, and filed the present complaint before the Magistrate with false allegations, which was forwarded to the police without following due procedure.

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

Accordingly, the respondents 2 to 4 are 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 as and when required for the purpose of investigation.

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

December 06, 2016.
KTL



RAJA ELANGO, J

