

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42660 OF 2016

ORDER:

The present writ petition is filed by the GPA holder of the petitioner, seeking to declare the proceedings in FIR No.678 of 2016 on the file of the 3<sup>rd</sup> respondent against the petitioner, as illegal and arbitrary and quash the same.

Heard and perused the material available on record.

The 4<sup>th</sup> respondent is the wife of the petitioner. She lodged the present complaint against the petitioner for the offences under Sections 498-A and 506 IPC and 4 of the Dowry Prohibition Act. The grievance of the petitioner is that the 4<sup>th</sup> respondent is continuously filing cases against him, and with a view to harass him, the present complaint is filed by the 4<sup>th</sup> respondent and the same was registered as FIR No.678 of 2016, and that he is ready to cooperate with the investigation in the above crime.

Learned Assistant Government Pleader for Home submitted that basing on the complaint of the de facto complainant, the above case was registered and that the respondent police are investigating into the matter.

Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is of the view that the above crime can be investigated into without arresting the petitioner.

Accordingly, the 3<sup>rd</sup> respondent is directed to complete the investigation in Crime No.678 of 2016 on the file of Women Police

Station, DD, CCS, Basheerbagh, Hyderabad, and file a final report in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation.

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

December 08, 2016  
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RAJA ELANGO, J

