

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39715 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records relating to Crime No.163 of 2016 on the file of I-Town Police Station, Nalgonda, registered for the offences under Sections 354 and 506 IPC, and consequently, quash the same.

Heard and perused the material available on record.

The allegation against the petitioner is that when the de facto complainant went to his house to get his signatures on the loan papers, he tried to outrage her modesty.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and in fact, the mother-in-law of the 4th respondent was defaulted in paying the chit amount to the petitioner and that a panchayat was also held in that regard, due to which the present case is filed with false allegations and that as per the 4th respondent the alleged offence took place on 06.06.2016 and she lodged the complaint on 26.06.2016 with a delay of 20 days.

The petitioner filed this writ petition challenging 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 and also there is delay in lodging the complaint, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the respondents 2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his appearance before the investigating officer as and when required, for the purpose of investigation.

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

November 17, 2016.
KTL



RAJA ELANGO, J

