

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.451 of 2017

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 1st respondent in registering FIR No.81 of 2016 on the file of Women Police Station, Nizamabad, against the petitioners registered for the offences under Sections 498-A IPC and 4 of the Dowry Prohibition Act, as illegal and arbitrary.

The case in brief is that the de facto complainant –2nd respondent is the daughter-in-law of the petitioners. The allegation against the petitioners is that they along with their son harassed the de facto complainant demanding additional dowry.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that the petitioners never harassed the 2nd respondent by demanding additional dowry, that there are no specific allegations against them and that the police issued notice under Section 41(A) Cr.P.C., to the petitioners and also registered the above case, and are trying to arrest the petitioners.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

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 Station House Officer, Women Police Station, Nizamabad, is directed to complete the investigation and file a final report in either way, in Crime No.81 of 2016, 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.

January 04, 2017.
KTL

RAJA ELANGO, J



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