

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46863 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India to declare the unregistered F.I.R. for the offences under Sections 498-A and 420 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961 on the file of Kushaiguda Police Station, Cyberabad as illegal and arbitrary and consequently, to quash the same against the petitioners.

2. Heard and perused the material on record.

3. Case of the petitioners is that respondent No.3 filed a false complaint against them before respondent No.2 for the offences punishable under Sections 498-A and 420 I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent No.2 is trying to arrest them without following the due process of law.

4. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are directed to appear before respondent No.2 and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for

the like sum each for their appearance as and when required for the purpose of investigation.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

3.1.2017
AMD



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Date: 3.1.2017

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