

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 8352 of 2016

Order:

This Writ Petition was filed challenging the registration of FIR No.39 of 2016 by the third respondent pursuant to a complaint lodged by the fourth respondent.

Heard learned counsel for the petitioners, learned Government Pleader for the respondents 1 to 3 and learned counsel for the respondents 4 and 5.

Learned counsel for the petitioners submits that the fourth respondent earlier filed FIR No.229 of 2014 before the Mahabubabad Town Police Station, Warangal district and a final report was filed therein on 30.09.2015 and, thereafter, the present complaint was filed and, hence, the registration of the second FIR is bad in law.

I have carefully gone through the previous complaint and the final report filed thereon and noticed that the final report was filed on the basis of statement made by the fourth respondent herself stating that she wants to lodge another complaint before the third respondent and, in those circumstances only, the final report was filed in FIR No.229 of 2014. In view of the same, I do not find anything wrong in registering the FIR No.39 of 2016 by the third respondent. The first petitioner before this Court is the husband and the petitioners 2 to 6 are related to the husband and the present proceedings arise out of the allegations relating to the marriage. Now, it is stated that the fourth respondent is working in USA and the first petitioner is already on bail. Since the matter is under investigation, this Court is not inclined to interfere with the investigation,

but, however, during the process of investigation the petitioners 2 to 6 shall not be arrested or subjected to harassment.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 23.03.2017
Nsr

