

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.714 of 2017

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 2nd respondent in registering FIR No.273 of 2016 on the file of Halia (Alwal) Police Station, Nalgonda District, as illegal and arbitrary.

Heard and perused the material available on record.

The offences alleged against the petitioner are under Sections 420 and 384 IPC. The allegations in the complaint is that the 3rd respondent borrowed a sum of Rs.2,00,000/- from the petitioner and another by executing a promissory note and subsequently, he repaid the entire amount, but, the petitioner did not return his promissory and threatening him to extort his agricultural land. It is the case of the petitioner that he is no way concerned with the offences alleged against him.

The learned Assistant Government Pleader submitted that on the basis of the complaint, the above case was registered against the petitioner and others, and the police concerned are investigating into the matter in accordance with law.

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, 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 2nd respondent is directed to complete the investigation in the above Crime 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 and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his 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 05, 2017
KTL

RAJA ELANGO, J

