

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.6272 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking to quash the proceedings against the petitioners in Crime No.13 of 2018 of Chevella Police Station, Cyberabad, registered for the offences under Sections 420 and 323 I.P.C. and Section 3(1)(r)(s) of the S.Cs. and S.Ts. (POA) Act.

2. Heard the learned counsel for the petitioners and the learned Government Pleader for Home, apart from perusing the material on record.

3. It has been contended by the learned counsel for the petitioners that already two reports were lodged against the *de facto* complainant and others in June, 2017 and November, 2017; on the basis of that, two F.I.Rs. were registered in Crime No.209 of 2017 of Kulsumpura Police Station and Crime No.244 of 2017 of Chevella Police Station and investigation is pending in those criminal cases; as a counterblast, the present crime is registered against the petitioners for the offences under Sections 420 and 323 I.P.C. and Section 3(1)(r)(s) of the S.Cs. and S.Ts. (POA) Act.

4. It is also brought to the notice of the Court that one J.Sitharam, who is the friend of the *de facto* complainant-respondent No.4 herein, had filed a suit for specific performance of contract alleged to have entered into between him and the petitioners herein. It is also in dispute that there was no public view. There is delay of one day in lodging report with the police. The truth or otherwise of the allegations are required to be investigated. In view of the circumstances of this case, the investigation

has to go on. In view of the nature of disputes pending between the parties, the interest of the petitioners is required to be protected. Under these circumstances, the investigating officer is directed to complete the investigation and file final report without arresting the petitioners in this crime.

5. With the above direction, the Writ Petition is disposed of. Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

26th February, 2018

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