

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.24470 of 2019

ORDER:

The present writ petition is filed to declare the action of the second respondent in forcing and pressurizing the petitioner to settle the issue with the third respondent, failing which, the petitioner will be arrested and put behind the bars on the complaint made by the third respondent in ID.No.01051/00466, as illegal, arbitrary and contrary to criminal jurisprudence.

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

3. The main grievance of the petitioner in the writ petition is that there are matrimonial disputes between the petitioner and the third respondent, which resulted in multiple proceedings being initiated by one against the other and the second respondent, taking advantage of proximity with the uncle of the third respondent, is pressurizing the petitioner to settle the dispute with the third respondent by calling him to the police station in person.

4. Learned Assistant Government Pleader for Home, on written instructions, dated 07.11.2019, would submit that based on the complaint of the third respondent, dated 02.11.2019, a case was registered in Crime No.780 of 2019 for the offences under Sections 498-A and 506 IPC and Sections 3 and 4 of Dowry Prohibition Act, on the file of KPHB Colony Police Station, on 02.11.2019 and the petitioner herein is arrayed as accused No.1. Learned AGP would further submit that during the course of investigation, the Investigating Officer tried to issue notice under

Section 41-A Cr.P.C. to the accused person but the accused without taking the said notice has approached this Court with false and frivolous allegations. Learned AGP would also submit that the second respondent never forced or pressurized the petitioner to settle the matrimonial disputes and the allegations to the contrary in the writ petition are denied.

5. Having regard to the said submission made on behalf of the second respondent and taking on record the written submissions filed on behalf of the second respondent, stating that except investigating into the crime registered against the petitioner, the second respondent never interfered in the matrimonial disputes of the petitioner and the third respondent, no further orders need be passed in the writ petition.

6. The writ petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:05.12.2019

GJ