

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.3907 of 2020

ORDER:

The present writ petition is filed to declare the action of respondents 1, 3 and 7 in not revoking the Look-out-Circular (LOC) in FIR No.83 of 2019, Godavarikhani Police Station-I, pending on the file of the learned I Additional Judicial First Class Magistrate, Gadavarikhani, against the petitioner, in spite of obtaining bail and giving representations, as illegal and arbitrary.

2. It is the case of the petitioner that based on a complaint made by the 8th respondent, who is the wife of the petitioner, a case in Crime No.83 of 2019 was registered for the offences under Section 498-A read with Section 34 IPC and Section 4 of the Dowry Prohibition Act, on 25.02.2019, on the file of Gadavarikhani-I Police Station, against the petitioner and his parents. The respondent authorities issued a notice under Section 41-A Cr.P.C. against the parents of the petitioner, who are arrayed as accused Nos.2 and 3 in the said case, and LOC against the petitioner, who is arrayed as accused No.1 in the said case. The respondent authorities have also filed a charge sheet in the said case and the matter is pending before the learned I Additional Judicial First Class Magistrate, Gadavarikhani. The grievance of the petitioner is that despite obtaining bail and submitting representations, the respondent authorities are not recalling the LOC issued against the petitioner. Hence, the petitioner prays for a direction in this regard.

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

4. Inasmuch as the respondent authorities issued the LOC pursuant to the registration of Crime No.83 of 2019 on the file of the 7th respondent police station on 25.02.2019, this Court is of the view that the petitioner would be required to approach the authority at whose behest the said LOC has been issued and this Court cannot interfere in such matters.

5. Granting liberty to the petitioner to approach the authority concerned seeking revocation of the LOC by giving the sufficient reasons, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

Date:25.02.2020

GJ

JUSTICE T.VINOD KUMAR

