

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.10172 of 2015

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ORDER :

This criminal petition is filed by the **petitioner/A.1** under Section 482 Cr.P.C seeking to quash the proceedings in **Crime No.385 of 2015 of Gajuwaka Police Station, Vishakhapatnam District, registered for the offences punishable under Sections 420, 468 and 471 read with 34 IPC.**

2. Heard the learned counsel for the **petitioner** and the **1st** respondent-State represented by the Public Prosecutor, before admission and before ordering any notice to the **2nd** respondent and perused the material on record.

3. It is the contention of the learned counsel for the petitioner that the so-called agreement is of the year 2013 and the alleged payment of Rs.1,00,00,000/- and Rs.6,27,00,000/- is not supported by any proof and there is no agreement even filed and it is difficult to believe if having received Rs.1,00,00,000/- again parted with Rs.6,27,00,000/- without obtaining sale deed.

4. In fact, the matter requires investigation and there are no grounds to admit the petition to quash the F.I.R. proceedings, but for to say the factual matrix, the **petitioner is** entitled to the concession of bail.

5. Accordingly, this criminal petition is disposed of giving liberty to the **petitioner/A.1** to surrender before the learned Magistrate concerned and move for regular bail with notice to the A.P.P. concerned and in such an event and after hearing the Assistant Public Prosecutor concerned, the learned Magistrate shall grant bail with necessary conditions on the same day. The presence of the **petitioner/A.1** can be dispensed with before the Court at post bail stage pending investigation. Further remedies are left open to the **petitioner** after

police filing final report and any cognizance taken by the learned Magistrate.

6. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

7th October 2015.

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