

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO
CRIMINAL PETITION NO.667 OF 2013

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ORDER:

None appears for the petitioner. There is no representation on behalf of the petitioner.

The petitioner sought for quashing C.C.No.305 of 2012. It is alleged in the Charge Sheet that the petitioner has misled the Investigating Officer furnishing false information with a view to cause harm to the alleged accused.

On 05.03.2012 at about 16.30 hours the police received a complaint from the petitioner herein setting out that he is carrying on business at Hyderabad dealing with electrical equipment and that his brother is also carrying on similar business besides his shop and on 01.03.2012 at about 05.00 p.m., 4 unknown persons came to his brother's Electrical shop (Pooja electrical shop) and they introduced themselves as coming from Chennai Crime Branch Police and asked one Mahaveer Jain, son of the brother of the petitioner herein to accompany him to enquire into a case registered against him in Chennai. The resistance offered by the petitioner did not yield any result. But however, Mahaveer Jain did not return. However, on 02.03.2012 at about 10.30 hours some unknown persons called him from 3 different cell phones and the callers introduced themselves as Suresh Kumar, S/o Trilokchand and Kilash Chand, S/o Trilok Chand and claimed that Mahaveer Jain is in their custody and demanded Rs.65,00,000/- as ransom to be paid within two days for securing the release of Mahaveer Jain and if the ransom so demanded is not paid not only Mahaveer Jain, but also family members also will be killed. Hence, the petitioner lodged the

complaint.

The police registered Crime No.74 of 2012 under Section 363 IPC and took up investigation. During the course of investigation, the complainant-petitioner herein was examined and his detailed statement is also recorded. When the Investigating Officer went to Chennai for further investigation, it came to light that the complainant earlier had some business transactions with the alleged accused persons and due to certain disputes, the complainant started disassociating and distancing himself from the accused. But however he bore grudge against them and with a view to implicate them in a false case a complaint has been lodged. When Sri Mahaveer Jain's presence is secured, he has stated that he has gone to Chennai on business purpose and he met Suresh Jain and Kailash Jain as he is having some business dealings and from Chennai he has spoken with his uncle, the petitioner herein several times and after settling the matters amicably, he has come back to Hyderabad. Thus, the complainant is knowingly lodged a false complaint and mislead the Investigating Officer. Hence, the charge sheet is filed for the offence under Section 182 IPC.

In view of the facts set out above, which are found in the charge sheet a prima-facie case is made out and it is not a case where the charge sheet is filed unjustly and contrary to law and the same cannot be quashed. Hence, the petition is dismissed. No costs.

The miscellaneous applications, if any shall also stand dismissed.

JUSTICE NOOTY RAMAMOHANA RAO

25.06.2015

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