

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

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CRIMINAL PETITION No.3600 of 2015

ORDER:

The instant petition is filed by the petitioner – A.1, under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in FIR.No.15 of 2015 of Central Crime Police Station, Hyderabad, against him for the offences punishable under Section 420 and 406 read with 34 IPC.

Facts, as revealed from the material placed before this Court, are that on the complaint of the second respondent herein, the Station House Officer, Central Crime Station, DD, Hyderabad, registered the above crime. The allegations are to the effect that the petitioner and others lured the complainant and some others to provide employment on their payment of Rs.5.00 lakhs each; that initially collected Rs.2.5 lakhs each from the prospective candidates for processing their job prospects; that when the complainant and others made persistent enquires for getting jobs and contacted the petitioner, and his associates and, since their attempts proved abortive, they approached the office of the petitioner, on which, the petitioner is alleged to have asked the aggrieved persons for collecting their appointment letters in the Income Tax Department and, later, they came to know that there were no such appointment letters at all. Several other allegations have been levelled in the complaint.

Heard both sides.

Learned counsel for the petitioner – A.1 submits that, to see that R.9 Channel is defamed directly though the petitioner is not involved, the other accused, finding place at Sl.Nos.2 to 6 in the complaint, have collected the amounts and he (the petitioner) issued cheques and, as such, the petitioner is totally innocent, and prosecuting him for the offences alleged is nothing but an

abuse of process of law and, therefore, requests to quash the FIR itself.

Learned Additional Public Prosecutor appearing for the Telangana State opposed the request. Perused the material on record.

There is a direct allegation against the petitioner herein. It is no doubt true that at one place it is to be found that the petitioner has come forward to issue cheques and issued cheques but there is no further information as to encashment or otherwise and it is a case where the material is occurring prima facie to investigate into the alleged offences against the petitioner.

With the direction to the concerned investigating agency to resort to the procedure as envisaged under the provisions of Section 41-A Cr.P.C. of the Code the Criminal Petition is disposed of by giving a direction to the petitioner to cooperate with the investigating agency and submit whatever details the investigating agency asks him to submit.

The Criminal Petition is, accordingly, disposed of.

As a sequel thereto, miscellaneous applications, if any, also stand disposed of.

A. SHANKAR NARAYANA, J

Date:28.04.2015

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