

THE HON'BLE MRS JUSTICE ANIS
CRIMINAL PETITION No.2757 of 2015

ORDER:-

This Criminal Petition is filed under Section 482 of Cr.P.C., to quash the proceedings against the petitioners/A1 and A2 in CC No.518 of 2010 on the file of the Additional Judicial First Class Magistrate, Bhongir, Nalgonda District for the offences punishable under Sections 420, 406, 120 r/w Section 34 IPC.

2. Heard learned counsel for the petitioners and learned Public Prosecutor for the State.

3. Learned counsel for the petitioners argued that petitioner No.1 never executed any sale deed. However, petitioner No.1 also filed a complaint and the same was registered with police vide Crime No.212 of 2012. During the course of enquiry, the police obtained the thumb impressions of petitioner No.1 to compare with the thumb impressions on sale deed No.5327 of 1999. After receiving the forensic lab report, it is clearly established that the thumb impressions of the petitioner No.1 is not tallied with the thumb impressions on the sale deed. It is further argued that the de facto complainant in CC No.518 of 2010 is not cooperating and not proceeding with the case and finally prayed the Court to dispense with the appearance and prayed to give direction to trial court for early disposal.

4. The respondent No.2 herein filed a private complaint before the Additional Judicial First Class Magistrate, at Bhongir and after taking cognizance, it was registered as CC No.518 of 2010.

5. The contention of the learned counsel for the petitioners is that they are always ready to proceed with the trial, but the de facto complainant is dragging the matter without any reasons. Further the petitioners never executed the sale deed in favour of the de facto complainant.

6. In view of the facts and circumstances of the case, the trial Court is directed to dispose of C.C No.518 of 2010 within three (3) months from the date of receipt of a copy of this order. Further the appearance of the petitioners is dispensed with pending the trial, with a condition that as and when the

7. With the above directions, the Criminal Petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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Dt:08.04.2015

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