

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3851 of 2015

ORDER:

Upon hearing both sides, at the admission stage, the following Order is passed:

In F.I.R.No.55 of 2015, the Police of Humayunnagar, Hyderabad, registered a case for the offence under Sections 420, 468, 471, 506 r/w 34 IPC against the accused Nos. 1 to 5 and the investigation is reported to be pending.

The facts in brief are that the complainant and one Dr. Kamal Ahmed entered into an agreement of sale dated 11.02.2013 with petitioner/A.1 for purchasing the property and paid Rs.12,00,000/- as advance out of Rs.1,1,66,000. It is his grievance that subsequently all the accused colluded together and created a bogus document to defeat the rights of the complainant.

The learned counsel for petitioner denying the allegations submitted that there was an exchange of notices between the complainant and A.1 and the A.1 in his reply Notice dated 08.12.2015 squarely denied the execution of agreement of sale and other allegations leveled in the notice served by the complainant and in view of it, the Criminal Proceedings amount to abuse of process of law and therefore, the proceedings may be quashed.

A perusal of the complaint shows a *prima facie* accusation contained therein. The investigation is reported to be pending. Unless the investigation is carried out to its logical end, the truth will not come out. Hence, the investigation shall be continued. However, considering the fact that the issue relates to a property, which is a civil dispute, the Police of Humayunnagar, Hyderabad, are directed not to arrest the petitioner/A.1 during the course of investigation. The petitioner shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

U.DURGA PRASAD RAO,J

28-04-2015

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THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 3851 of 2015

Dt. 28.04.2015

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