

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.3838 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner/accused No.3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.40 of 2015 of Sarpavaram Police Station, East Godavari District for the offences punishable under Sections 447, 419, 420, 468, 471 read with 34 I.P.C.

2) Heard the learned counsel for Petitioner/accused No.3 who claims that he is a bonafide purchaser in the year 2014 based on sale deed of the year 2007 believing that the sale deed is executed by the original owner so called complainant who claims as if she was impersonated in the sale deed and he is falsely implicated. This is the crime stage and investigation is in progress. It is left open to the petitioner to submit any material with him to the police as part of the investigation to consider the said plea beyond that when the F.I.R makes out the accusation, the material falls short to admit the application under Section 482 Cr.P.C. to quash the F.I.R but for to say from the petitioner already stated enlarged on bail, the learned Magistrate is required to consider pending investigation to dispense with presence of accused.

3) With the above observations, the criminal petition is disposed of.

4) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.04th June, 2015

KSH

