

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.10054 of 2014

ORDER:

After hearing both sides, at the admission stage the following order is passed.

It is the contention of petitioner/accused that complaint allegations do not disclose that petitioner/accused had any deceitful intention since the inception so as to attract any criminal liability under Section 420 IPC. On this main plank of argument he sought for quashment of proceedings.

In oppugnation, learned counsel for 2nd respondent/defacto complainant argued that tenor of defence taken up by the present petitioner in O.S.No.1033 of 2014 which is a specific performance suit filed by complainant is to the effect that she denied even execution of agreement of sale in favour of complainant and in view of such defence taken in her written statement, the deceitful intention is manifest and criminal prosecution is maintainable.

In view of such varying stand taken by the petitioner/accused, the investigation shall continue to its logical end to determine whether the petitioner/accused had or not the deceitful intention since inception to bring home the offence under Section 420 IPC.

Therefore, this Criminal Petition is dismissed and police

of Manchal PS, Cyberabad are directed to continue the investigation to its logical end. However, considering the fact that the petitioner/accused is an old aged lady, the police of Manchal PS, Cyberabad are directed to strictly follow the procedure contemplated under Section 41A Cr.P.C during the course of investigation. The petitioner/accused shall cooperate with the investigating agency for smooth completion of investigation.

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

U.DURGA PRASAD RAO, J

Date: 09-03-2015

Murthy