

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3929 OF 2016

-
ORDER:

-
This petition is filed by the petitioners-accused Nos. 2 and 3 under Section 482 Cr.P.C. seeking to quash the proceedings against them in FIR No.23 of 2016 on the file of Malkajgiri Police Station, Cyberabad, Ranga Reddy District, registered for the offence punishable under Sections 403, 406, 418, 420, 426 and 506 IPC.

Heard and perused the material available on record.

It is alleged that the petitioners and other accused are the members of the complainant-society. A1 to A3 took housing loans as short term loans and started evading repayment of the same in spite of issuance of legal notices to them.

Learned Counsel for the petitioners submitted that as the private complaint filed by the 2nd respondent was referred to the police, the above crime was registered and that the learned Magistrate has not followed the procedure while referring the matter to the police.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of

investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

Nn

HONOURABLE SRI JUSTICE RAJA ELANGO

-
-
-
-
-
-
-
-
-

CRIMINAL PETITION No.3929 OF 2016

DATED 22.3.2016

Nn