

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4138 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.117 of 2015 of Cyber Crime Police Station, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 468, 471, 417, 419, 420 read with Section 34 IPC and Sections 66-C and 66-D of Income Tax Act, 2000-2008.

Heard the learned counsel for the petitioners and perused the material.

It is alleged in the complaint that on seeing ads for sale of Blue and Golden coloured Macaws on the internet, the second respondent/de facto complainant called on the customer care number of India Mart in April, 2015 and enquired about the birds and he sent email about the dealers involved in the sale of birds. It is further alleged that on 05.05.2015, the de facto complainant got a phone call from Goojarma Enterprises and offered for sale of a pair of Blue and Gold Macaws for Rs.35,000/-, for which he agreed to offer and deposited Rs.20,000/- on 05-05-2015 in Bank of India account of Sam Solman Shakeer (A/c.No.861410310000797) and thereafter as per the demand of the company, the de facto complainant deposited various amounts on different dates. Thereafter, the de facto complainant received a phone call that he was required to pay an amount of Rs.10,000/- towards flight charges and meanwhile, he got phone call from the numbers mentioned in the complaint and asked to Rs.10,000/- as final payment for the bird to be delivered.

A perusal of the contents of the complaint reveals that specific overt acts attributable to petitioners/A-1 and A-2 have been made in the complaint, which, prima facie, made out a case against the petitioners constituting the offences, much less the alleged offences. Since the offences alleged against the petitioners are serious in nature and have to be necessarily investigated by the investigating agency about the truth or otherwise of the allegations made against the petitioners, this Court is not inclined to interfere with the investigation at this stage invoking the jurisdiction under Section 482 Cr.P.C., and hence, the criminal petition is liable to be dismissed.

Accordingly, the criminal petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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RAJA ELANGO, J

Date: 29-03-2016

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