

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL REVISION CASE No.103 OF 2016

ORDER:

The petitioner/complainant has preferred the present criminal revision case by invoking the provisions under Sections 397 and 401 of Code of Criminal Procedure (Cr.P.C.,) being aggrieved by the order dated 30.12.2015 passed in C.F.R.No.6117 of 2015 by the Court of the Judicial Magistrate of First Class at Jadcherla, whereby the learned Judge dismissed the complaint filed by the complainant to take cognizance of the offence against respondents 1 to 5 herein.

Heard and perused the material available on record.

Learned counsel for the petitioner submits that though initially at the time granting of loan of Rs.20,00,000/- to the wife of the complainant, for which the complainant stood as guarantor, the respondents 1 to 5/ bank officials informed them that they will collect Rs.4,00,000/- as interest over the entire loan amount, but later they insisted to pay total amount of Rs.50,00,000/-, instead of Rs.24,00,000/-. The complainant's wife became defaulter and that they approached the Bankers for 'One Time Settlement', that the Bankers refused the said proposal and threatened them not to approach them. In connection with recovery of the dues, A.1 to A.5 came to the complainant and his wife and abused them in the name of caste. Hence, the complaint.

This Court is of the view that the Court below rightly dismissed the complaint of the complainant observing that the entire dispute between the parties resolves around an agreement of loan and mere mentioning of some of the words, which may attract criminal offence, itself is not sufficient to initiate criminal proceedings against any person, more particularly the persons, who are discharging their official duties. Hence, the order passed by the Court below is in accordance with law and needs no interference by this Court.

The Criminal Revision Case is accordingly dismissed.
Consequently, the miscellaneous petitions pending in this petition, if
any, shall stand closed.

JUSTICE RAJA ELANGO

24.06.2016
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