

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4980 OF 2016

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.55 of 2016 on the file of Siddipet I Town Police Station, Medak District, registered for the offence punishable under Sections 420 and 506 IPC.

Heard and perused the material available on record.

It is alleged that the de facto complainant and another approached the petitioner to borrow Rs.10 lakhs, for which the petitioner agreed to advance the amount on condition that if any plot is registered in his name. The de facto complainant also agreed to pay interest at the rate of Rs.3/- per hundred and to pay the accrued interest for every three months. It is agreed that after discharge of the loan amount, the petitioner will re-register the plot in the name of the de facto complainant. Subsequently, the de facto complainant borrowed some amounts and executed registered sale deeds in respect of his agricultural land. The de facto complainant paid the excess amount than he borrowed. When he requested the petitioner to re-transfer his land in his name, the petitioner threatened him.

Learned Counsel for the petitioner submitted that the present complaint has arisen out of money transaction and therefore, the proceedings against the petitioner can be quashed.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner. However, the 1st respondent-police are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of

investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required 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 : 11.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 11.4.2016

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