

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46156 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in registering FIR No.110 of 2016, dated 13.04.2016, for the offences under Sections 419, 420, 468 & 471 IPC against the petitioner, as illegal and arbitrary.

Heard and perused the material available on record.

The case of the petitioner is that the 4th respondent lodged the present complaint against the petitioner before the 3rd respondent, who registered the same as FIR No.110 of 2016, dated 13.04.2016, for the offences under Sections 419, 420, 468 & 471 IPC against the petitioner. It is alleged in the above said complaint that the petitioner and two others, with a dishonest intention, with pre-plan, have created the documents i.e., registered Sale Deeds, dated 19.11.2014, 02.02.2015 and 13.02.2015, by impersonation of original owner by putting forged signature, thumb impression on the above said documents to grab the plot, which belongs to the 4th respondent. It is further alleged that in the absence of the 4th respondent, the petitioner prepared forged document by inducing a lady keeping herself as Bussa Shyamala impersonated herself by getting certified copy of original document from registration office, Sangareddy, by creating fake document in her name and that on registration, the petitioner executed Sale Deed in favour of one Mohd. Rafeeq (A-2) by registered document, dated 02.02.2015, and in turn, A-2 executed registered Sale Deed in favour of one Mohd. Buranuddin (A-3) under registered document, dated 13.02.2015, and that the petitioner along with two others have created forged documents one after another to grab the property of the 4th respondent.

The main grievance of the petitioner is that the petitioner never created any document as alleged against him and that the petitioner is no way connected to the allegations mentioned in the complaint and that the allegations made in the above said case do not make out any offence under Sections 419, 420, 468 & 471 IPC.

Considering the said facts and circumstances, the 3rd respondent is directed to complete the investigation in FIR No.110 of 2016, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the Investigation Officer concerned as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 29th December, 2016

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