

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6299 OF 2016

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ORDER:

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This petition is filed by the petitioner-A1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.131 of 2014 on the file of Ganapavaram Police Station, West Godavari District, registered for the offence punishable under Sections 420 and 468 IPC.

Heard and perused the material available on record.

The 2nd respondent filed a private complaint alleging that she is the sister of A1 and that there are disputes between her and A1 regarding the properties and A1 obtained settlement deeds in his favour from their father by playing fraud. A2 gave assistance to prepare the documents in the name of A1. As the private complaint was referred to the police by the learned Magistrate, the above crime was registered.

Learned Counsel for the petitioner submitted that the present complaint has arisen out of the property disputes between A1 and the 2nd respondent and that the learned Magistrate referred the private complaint without following the procedure under Section 156(3) Cr.P.C.

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 him. However, the 1st respondent-police concerned 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 : 26.4.2016

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DATED 26.4.2016

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