

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6916 OF 2016

ORDER:

This petition is filed by the petitioners-A1 to A4, A6 to A8 Section 482 Cr.P.C. seeking to quash the proceedings against them in FIR No.5 of 2016 on the file of Narsapur Police Station, CCC, Manchiryal Mandal, Adilabad District, registered for the offence punishable under Sections 420, 468, 120-B, 447 and 506 IPC.

Heard and perused the material available on record.

In the complaint, it is stated that the 2nd respondent and his brother alienated plots of their property to different people. Some of their properties were acquired by the Government for construction of Singareni Quarters. The 2nd respondent-de facto complainant retained 1200 sq. yards and out of the same, he sold away admeasuring Ac.0.05 ½ guntas to one Mogili Venkatesham. He sold the said property to one Kotha Parthasaradhi. In the said sale deed a typographical error occurred in respect of northern boundary. Taking advantage of the same, A1 in collusion with other accused created false relinquishment deed and got it registered in his favour. The accused tried to show their property as 1330 sq. yards in order to cause wrongful gain to the 2nd respondent. On 13.12.2015, the 1st petitioner along with his men trespassed into his land and threatened the 2nd respondent to kill him.

Learned Counsel for the petitioners submitted that the present complaint has arisen out of the property disputes between the parties and that the petitioners were falsely implicated in the above crime.

Considering the facts and circumstances of the case and the allegations made against the petitioners, 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 petitioners. In the event of necessity,

the 1st respondent-police are directed to issue notice to the petitioners to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating agency and give an undertaking as to their 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 : 29.04.2016

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DATED 29.4.2016

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