

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6395 of 2016

ORDER

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This criminal petition is filed by the petitioner-A2 under Section 482 Cr.P.C., seeking to quash the proceedings against him in Cr.No.470 of 2015 of I Town Police Station, Karimnagar, registered for the offences punishable under Sections 420 and 506 IPC and u/s.27 of Indian Arms Act and under Sections 3 and 5 of Money Lending Act, against him.

2. Heard and perused the material on record.

3. The case of the prosecution is that the de facto complainant took a loan of Rs.32 lakhs from A1 and got registered his house in the name of benami of A1i.e., A2 and even though he returned an amount of Rs.52 lakhs, the accused did not return the registered documents of his house, thereby cheated him. A1 also threatened the de facto complainant by showing the revolver and abused him. Based on the complaint, the aforesaid crime was registered against the accused.

4. Learned counsel for the petitioner submitted that the petitioner was initially arrested on 20.11.2015 in Cr.No.25 of 2015 of CID Police Station, Hyderabad, for the offences punishable under Sections 386, 451, 420, 506 r/w 34 IPC and under Section 25(2) of Arms Act and produced before the Court and thereafter, he was released on bail since the police failed to file

charge sheet within the statutory period. He further submits that though the present crime is pending before the same police station where the other cases are pending in the same District, the police ought to have produced the petitioner on PT warrant before the Court concerned for remand and now, the police are trying to arrest him.

5. In view of the above submissions, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner/A2. In the event of necessity, the police concerned are directed to issue notice to the petitioner for his appearance before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner shall appear before the investigating agency and give an undertaking as to his future appearance as and when required by the investigating agency for the purpose of investigation.

6. With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this petition shall stand closed.

RAJA ELANGO, J

26th April, 2016
sj