

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4676 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.158 of 2016 on the file of Sanjeeva Reddy Nagar Police Station, Hyderabad, registered for the offence punishable under Sections 420, 468 and 471 IPC.

Heard and perused the material available on record.

It is alleged that the petitioner, who is authorized signatory of M/s Cloud Rays Technologies, approached the 2nd respondent for hand loan of Rs.20 lakhs. He stated that he got work order for 40 lakhs from Tera Soft (Redefining IT Solutions). Believing the said words, the 2nd respondent gave Rs.20 lakhs to the petitioner. The petitioner executed a promissory note promising to repay the hand loan amount within 45 days with interest at the rate of 1% p.a., and promising to give good will from his profit. But the petitioner did not repay the amount. On enquiry, the 2nd respondent came to know that the petitioner cheated him under the guise of fake work order for wrongful gain.

Learned Counsel for the petitioner submitted that the present complaint has arisen out of money transaction and that the petitioner filed a private complaint against one P.S. Chalam for cheating him by holding the possession of signed blank documents and that the said Chalam got filed the present complaint as a counter blast to the complaint lodged by the petitioner, through the 2nd respondent, who is his close friend and associate.

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, in accordance with law, without arresting the petitioner. In the

event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating officer and give an undertaking as to his future appearance as and when required by the investigating agency 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 : 4.4.2016

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DATED 4.4.2016

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