

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2123 OF 2016

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ORDER:
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1. This Criminal Petition is filed by the petitioner-accused No.1 under Section 482 of Code of Criminal Procedure seeking to quash the proceedings against him in FIR No.32 of 2016 on the file of Zaheerabad Town Police Station, Medak District, registered for the offence punishable under Sections 468, 420, 323 and 506 r/w 34 IPC.

2. Heard the learned Counsel for the petitioner-accused No.1 and the learned Public Prosecutor and perused the material available on record.

3. It is alleged in the complaint that the 2nd respondent-complainant is the owner of the land in question and due to her old age and illiteracy, the petitioner and other accused hatched up a plan to grab her land and created fake title deeds in their favour. It is the case of the petitioner that the father of the 2nd respondent sold his agricultural land to his vendors and his vendors sold the said property to the petitioner and he is rightful owner of the property in question and when the complainant and her followers tried to interfere with the land in question, the petitioner filed a suit and obtained ex parte decree of perpetual injunction in his favour.

4. The truth or otherwise of the said allegations can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings in the above crime.

5. At this stage, the learned Counsel for the petitioner

submitted that in view of the pendency of the above crime, the petitioner apprehends arrest and also the harassment in the hands of the 1st respondent-police.

6. In view of the above submission, the 1st respondent-police are directed to complete the investigation without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is also directed to appear before the Investigating Agency as and when required and cooperate with the Investigating Agency.

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

JUSTICE RAJA ELANGO

Date: 19.02.2016

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