

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4146 OF 2016

ORDER:

This petition is filed by the petitioner-accused No.2 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.26 of 2016 on the file of Velgatoor Police Station, Karimnagar District, registered for the offence punishable under Sections 420, 422 and 424 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent purchased a vehicle under hypothecation from A2 and he is using the same by hiring and he paid monthly instalments till the vehicle was sold to A1. A1 agreed to purchase the vehicle for Rs.7,25,000/- and to pay balance monthly instalments to A2, for which the 2nd respondent agreed and both of them entered into an agreement. A1 paid an amount of Rs.95,000/- as earnest money and agreed to pay Rs.1,50,000/- on or before 25.6.2014. On the date of agreement, the 2nd respondent handed over the vehicle. Subsequently, A1 made some payments to the 2nd respondent and paid nine monthly instalments to A2. Thereafter, A1 failed to pay the balance sale consideration of Rs.2,45,000/- to the 2nd respondent and also failed to pay the balance monthly instalments to A2. When the 2nd respondent demanded him, he refused to pay the same. A2 is pressuring the 2nd respondent to pay the balance instalments.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioner submitted that due to pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, 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 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 : 23.3.2016

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DATED 23.3.2016

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