

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3123 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioners/A-4 to A-6, A-8 and A-9 seeking to quash the proceedings in Crime No.23 of 2015 on the file of Pahadisharief Police Station, Ranga Reddy District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners are punishable under Sections 120B, 420, 468 and 506 I.P.C.
4. Admittedly, a private complaint was given by respondent No.2/*de facto* complainant and the above crime was registered as it was referred by the Magistrate invoking the provision under Section 156(3) Cr.P.C. The learned Magistrate has also not followed the procedure. Further, it is evident from the record that the crime arose out of some land disputes between the parties. The entire case can be investigated basing on the documents. 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 against the petitioners in the above crime.
5. At this stage, learned counsel for the petitioners submitted that in view of the pendency of the above crime, the petitioners are apprehending arrest and also harassment in the hands of police.
6. Considering the facts and circumstances of the case and in view of the submission of the learned counsel for the petitioners, the police concerned are directed to complete the investigation without arresting the petitioners and file a final report, if any, in accordance with law.

The petitioners are directed to appear before the Investigating Agency as and when their presence is required and also cooperate with the Investigating Agency.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

10.3.2016
AMD

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AMD