

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**  
**CRIMINAL PETITION No.5548 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.24 of 2015 on the file of Pamur Police Station, Prakasam District, registered for the offence punishable under Sections 420, 406 and 467 IPC.

Heard and perused the material available on record.

The 2<sup>nd</sup> respondent lodged a private complaint alleging that he entered into an agreement of sale with the petitioner to purchase plot Nos.4,5,6,7,8 and 9 situated in Sy.No.447/14 of Pamuru village and Mandal for total sale consideration of Rs.2,14,000/- and he paid Rs.30,000/- on the date of agreement and the balance is to be paid on or before 18.10.2014. Subsequently, the 2<sup>nd</sup> respondent came to know that the petitioner is not the owner of the said plots.

As the private complaint was referred to the police, the above crime was registered.

Learned Counsel for the petitioner submitted that the allegations made against the petitioner are civil in nature and that the learned Magistrate has not followed the procedure while referring the private complaint filed by the 2<sup>nd</sup> respondent to the police.

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 1<sup>st</sup> respondent-police are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1<sup>st</sup> respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of

investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required for the purpose of investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**JUSTICE RAJA ELANGO**

Date : 19.4.2016

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**DATED 19.4.2016**

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