

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.5423 of 2016

ORDER

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This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 to A5 seeking to quash the proceedings in Cr.No.922 of 2015 of L.B.Nagar L & O Police Station, Ranga Reddy District, registered for the offence punishable under Section 420 IPC, against them.

2. It is alleged in the complaint that Smt Karnati Janakamma and her family members have executed an agreement of sale on 01.11.2000 in favour of one Rachakonda Laxman Rao, the vendor of the de facto complainant, with respect to the plot bearing No.227 admeasuring 175 square yards situated at Ward No.8, Block No.7 Hasthinapuram North Extension Karmanghat Village, Saroor Nagar Mandal, Ranga Reddy District. The de facto complainant purchased the said plot from Rachakonda Laxman Rao vide registered sale deed dated 23.10.2013 and she had constructed a room, compound wall and gate in the said property. While so, when she applied for an encumbrance certificate, she came to know that A1 to A5 conspired together and got registered the said plot in the name of A6, thereby cheated the de facto complainant. Based on the complaint, the aforesaid crime was registered against the accused.

3. Since the matter arising out of property dispute, the allegations made in the complaint against the accused have to be decided by a competent Court after full fledged trial and truth or

otherwise of the allegations made against them cannot be decided at this stage. Therefore, this Court is not inclined to interfere with the impugned proceedings. However, the concerned police are directed to complete the investigation without arresting the petitioners/A1 to A5 and file a final report, if any, in accordance with law. The petitioners/A1 to A5 are directed to appear before the investigating agency as and when required and cooperate with the investigating agency.

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

19th April, 2016
sj