

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.12894 of 2013

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/accused to quash the FIR in Crime No.739 of 2013 of KPHB Colony PS, Cyberabad whereunder the Police of KPHB Colony PS registered the crime for the offences under Sec.420, 406, 506 IPC.

2) The 1st respondent/complainant filed a private complaint before XIX Additional Metropolitan Magistrate, Kukatpally, at Miyapur alleging that the accused deceived the complainant stating that he was the absolute owner of the agricultural land admeasuring Ac.1-32 gts in Sy.No.140, situated at Mansanpally village, Maheswaram Mandal, Ranga Reddy District and believing the accused version, the complainant agreed to purchase the said land for Rs.30,00,000/- and obtained an agreement of sale dt:15.03.2011. Subsequently also he paid Rs.2,00,000/- as part payment. Later, the accused obtained another cheque for Rs.2,60,000/- but he did not execute the sale deed. When the complainant demanded him for the sale deed or else he would take legal action, the accused issued post-dated cheque bearing No.784692 dt:24.06.2013 for Rs.5,44,506 drawn on ING Vysya Bank Limited, R.M.N.H EC Branch, Yousufguda, Hyderabad and insisted the complainant to

return the agreement of sale. Subsequently also, the accused threatened the complainant. The cheque issued by the accused was dishonored for the reason "Account Closed". The said complaint was forwarded to police and police registered the FIR as stated supra.

3) When the matter came up for hearing today, learned Public Prosecutor submitted that in this case investigation was completed and charge sheet was filed by the police for the offence under Sec.420, 406 and 506 IPC against the accused and learned II Additional Junior Civil Judge-cum-XIX Additional Metropolitan Magistrate, Kukatpally, at Miyapur took cognizance of the offences and registered as C.C.No.4368 of 2013. Learned Public Prosecutor produced copy of the charge sheet and submitted that the petition which is filed to quash the FIR has become infructuous and prayed to dismiss the petition.

4) There is no representation for petitioners.

5) In view of the above submission of learned Public Prosecutor, this Criminal Petition is dismissed as Infructuous.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 29.02.2016

scs