

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3476 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.105 of 2015 on the file of the P.S., Chandrayanagutta, registered for the offence under Section 420 IPC read with Section 34 IPC.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has not committed any offence and that he has been falsely implicated in the crime and as such, prays this Court to quash the proceedings against the petitioner herein.

This Court is of the view that the truth or otherwise of the allegations made in the complaint can be investigated by the investigating agency and as such, this Court is not inclined to quash the proceedings.

On perusal of the material available on record and also it is evident from the letter issued by the authorities concerned, the petitioner is not directly involved in the crime. Hence, this Court directs the police concerned to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioner for his appearance for the purpose of investigation and the petitioner is also directed to appear and cooperate with the investigating agency. The petitioner is also directed to submit an Undertaking for his future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions pending in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

16.03.2016
pln