

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8556 of 2012

ORDER:

This Criminal Petition is filed by the petitioner –accused under Section 482 Cr.P.C., to quash the proceedings against him in Crime No.313 of 2012 on the file of Devarakonda Police Station, Nalgonda District, registered for the offences punishable under Sections 406, 120-B, 420, 415, 416, 68, 474 and 506 IPC.

Heard and perused the material available on record.

The learned counsel for the petitioners submitted that there civil disputes between the petitioner and the de facto complainant – 2nd respondent with regard to a property and civil suit is also pending before the Court of Junior Civil Judge, Devarakonda and that the de facto complainant filed the present complaint against the petitioner with all false allegations and the petitioner is the owner of the said land, and that the pattadar passbooks and title deeds are in the name of the petitioner and also his family members, and hence, he prays to allow the petition.

A perusal of the record discloses that while ordering notice before admission on 30.11.2012, this Court granted stay of all further proceedings in Crime No.313 of 2012 for a period of six months and subsequently, the same was extended from time to time on the applications filed by the petitioner, and this Court is of the view that since there are specific allegations against the petitioner, the matter has to be investigated into by the police. Hence, this Court is not inclined to quash the proceedings against the petitioner in the said crime at this stage. However, considering the facts and circumstances of the case, the police concerned are directed to complete the investigation of the case and file final report, if any, without arresting the petitioner. The petitioner is also directed to appear before the Investigating

Agency as and when his presence is required, and cooperate with the investigation and he is at liberty to produce all the relevant documents to substantiate his ownership over the property concerned. The Investigating Officer concerned is directed to take into consideration the documents filed by the petitioner during the course of investigation. If the petitioners are aggrieved by the charge sheet filed by the police, they are at liberty to approach this Court.

With the above observations, the Criminal Petition is disposed of. Miscellaneous Petitions, pending if any, shall stand closed.

August 27, 2016.
KTL

RAJA ELANGO, J

