

**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION No.10136 of 2014**

**ORDER:**

This criminal petition is filed under Section 482 of Cr.PC to quash the proceedings against the petitioners/A2 and A4 in Crime No.84 of 2013 on the file of the Station House Officer, Huzurabad Police Station, Karimnagar District registered for the offences under Sections 120B, 406, 420, 468, 471 and 506 read with 34 IPC.

2. Heard Sri A.Prabhakar Rao, learned counsel for the petitioners, Sri M.Ram Mohan Reddy, learned counsel for the second respondent and learned Public Prosecutor representing the State.

3. The petitioners are A2 and A4 and second respondent is *de facto* complainant in Crime No.84 of 2013. As per the allegations made in the complaint, the petitioners herein along with other accused created documents with an ulterior motive to cause financial loss to the second respondent and others. It is further alleged that the petitioners herein misappropriated the money. It is also the case of the prosecution that the petitioners herein threatened the second respondent and others with dire consequences. Whether the petitioners have committed the alleged offences or not will come to light during the course of investigation.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and also the principle enunciated in **R.P.Kapoor v. State of Punjab**<sup>[1]</sup>, **State of Haryana v. Bhajan Lal**<sup>[2]</sup>, **V.Y.Jose V State of Gurajat**<sup>[3]</sup> and **Teeja Devi v. State of Rajasthan**<sup>[4]</sup>, I am of the considered view that this is not

a fit case to quash the criminal proceedings at the threshold.

6. The learned counsel for the petitioners submitted that the concerned Station House Officer may be directed not to arrest the petitioners. This court granted interim stay on 11.9.2014 and the same has been in force till today. Having regard to the facts and circumstances of the case and also the interim order of this court dated 11.9.2014, the Station House Officer, Huzurabad Police Station, is hereby directed not to arrest the petitioners/A2 and A4 till completion of the investigation in Crime No.84 of 2013.

7. With the above direction, criminal petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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**T.SUNIL CHOWDARY, J.**

January 05, 2016.

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[\[1\]](#) AIR 1960 SC 866

[\[2\]](#) AIR 1992 SC 604

[\[3\]](#) (2009) 3 SCC 78

[\[4\]](#) 2015 (1) ACR 564 (SC)