

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2362 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.43 of 2016 of Patancheru Police Station, Medak District, registered for the offences punishable under Sections 447, 427, 506 and 504 IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor representing the State.

It appears that the 1st respondent given a complaint alleging that his sister purchased a land admeasuring 1245 square yards in Survey No.529, situated at Muthangi village and after its purchase, she went to abroad leaving the same under his control. It is further alleged that on 25-01-201`6, when he went to the said land, five persons have illegally encroached and trespassed into the land and proceeding with construction work and that when he questioned about their highhanded act, they abused the 2nd respondent in filthy language and threatened him with dire consequences. On the said complaint, the police registered the case as Crime No.43 of 2016 for the alleged offences.

A perusal of the complaint and the material on record would reveal that the dispute between the parties, which arose out of a sale transaction, is, admittedly, purely civil in nature not involving any public wrong and that there is a civil dispute pending between the parties in respect of the said land. The truth or otherwise of the contents of the complaint can be decided by the investigating agency during the course of investigation. It is not as

though the investigation is completed and filed report. In such circumstances, this court is not inclined to interfere with the investigation.

Considering the above facts and circumstances of the case, this Court is of the view that it is not a fit case where the proceedings can be quashed invoking the jurisdiction under Section 482 Cr.P.C. However, since the petitioners are apprehending of their arrest in view of pendency of the present crime, the Patancheru Police, Medak District, is hereby directed to complete investigation without arresting the petitioners and submit final report in the court. The first respondent is at liberty to take recourse to appropriate remedy against such final report if he is aggrieved to do so.

Accordingly, the Criminal Petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

RAJA ELANGO, J

Date: 24-02-2016

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