

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3947 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.25 of 2016 on the file of Miryalaguda II Town Police Station, Nalgonda District, registered for the offence punishable under Sections 420 and 406 IPC.

Heard and perused the material available on record.

It is alleged that the petitioners entered into an agreement in respect of the land in question and the 2nd respondent and his partner gave Rs.20 lakhs to them. When the 2nd respondent approached Miryalaguda municipality for starting construction, he came to know that earlier to the agreement, the petitioners mortgaged the said land to others. When the 2nd respondent asked them to release the said land from mortgage, they released the said land from mortgage and sold the same to other accused. When the complainant asked to return the amount paid to them with compensation, they quarrelled with them and abused them.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such

notice, the petitioners are directed to appear before the investigating officer and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

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DATED 22.3.2016

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