

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1884 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in FIR No.2 of 2016 on the file of the P.S., Elkathurty, Karimnagar District, registered for the offence under Sections 448, 506 (ii) IPC read with Section 34 IPC.

Heard and perused the material.

Learned counsel for the petitioner/A.2 submits that as per the complaint, A.1, who is the father of A.2, has taken loan from the *de facto* complainant/respondent No.2, and on failure of repayment, a case was registered against A.1 and since then, A.1 left the company of A.2 and that a case was also registered under 'Man Missing'. He further submits that as A.1 is not available, a false case is foisted against the petitioner/A.2 in order to get the amount allegedly paid to A.1. He further submits that there is no relationship between the petitioner and the second respondent and as such, he prays this Court to quash the proceedings against the petitioner/A.2.

Considering the facts and circumstances of the case, the allegations made against the petitioner/A.2 are to be investigated into by the police. Hence, this Court is not inclined to quash the impugned proceedings at this stage. However, the police concerned are directed to complete the investigation without arresting the petitioner/A.2 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 filed in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

16.02.2016

pln