

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4086 OF 2016

ORDER:

This petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.711 of 2010 on the file of the IV Metropolitan Magistrate, Cyberabad at Ibrahimpatnam.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Section 420 IPC. It is alleged that A1 and A2, who are doing real estate business, informed the 2nd respondent-de facto-complainant that Pragathi Townships Private Limited laid a lay out and named it as Sreecons Pride situated at Chinthapallyguda. Believing their version, the 2nd respondent paid an amount of Rs.7 lakhs for purchasing an open plot. When the 2nd respondent asked for execution of a registered sale deed in her favour after receiving the balance sale consideration, the accused postponed the issue on one pretext or the other. When the 2nd respondent insisted the accused for refund of the amount paid by her, A1 issued a cheque. When the same was presented, it was returned with an endorsement of insufficient funds. The accused neither returned her amount nor registered the plot in her favour.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner.

The learned Counsel for the petitioner submitted that after filing of the charge sheet, the Court below issued NBWs against the petitioner.

In view of the above submission, the petitioner-A1 is directed to file an application before the Court below seeking to recall NBWs issued against him. On such application being filed, the Court below

is directed to recall NBWs issued against the petitioner on the same day on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety, for the like sum to the satisfaction of the Court below. The petitioner-A1 is directed to appear before the Court below regularly on all hearing dates.

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

JUSTICE RAJA ELANGO

Date : 28.3.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 28.3.2016

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