

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3841 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.21 of 2016 on the file of the P.S., S.Rayavaram, Visakhapatnam District, registered for the offences under Sections 420, 384, 427, 448, 354(A) IPC read with Section 34 IPC.

Heard and perused the material.

On perusal of the material available on record, this Court is of the view that the truth or otherwise of the allegations made in the complaint can be investigated by the investigating agency and as such, this Court is not inclined to quash the proceedings.

Admittedly the case is arising out of a dispute over the property and that the petitioner has already issued notice to the second respondent claiming his right over the property, this Court directs the police concerned to complete the investigation without arresting the petitioner 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 pending in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

21.03.2016

pln