

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2472 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in F.I.R. No.107 of 2015 on the file of the Penamaluru Police Station, Vijayawada, registered for the offences under Sections 420, 467, 471 IPC read with Section 34 IPC.

Heard and perused the material.

Learned counsel for the petitioners submits that civil suits are pending between the petitioners herein and the *de facto* complainant and that the petitioners herein have obtained interim order in their favour. Aggrieved over the same, the complainant filed a false complaint with all false allegations against the petitioners herein.

On perusal of the entire material available on record, *prima facie* there are allegations against the petitioners, which are to be investigated into by the police. Hence, this Court is not inclined to quash the impugned proceedings at this stage. However, considering the fact that the dispute is arising out of an agreement of sale, the police concerned are directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioners for their appearance for the purpose of investigation and the petitioners are also directed to appear and cooperate with the investigating agency. The petitioners are also directed to submit an Undertaking for their 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

26.02.2016
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