

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6177 OF 2016

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ORDER:

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This petition is filed by the petitioners-A1 & A4 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.170 of 2013 on the file of Bahadurpura Police Station, Hyderabad District, registered for the offence punishable under Sections 406, 468, 471, and 420 r/w 34 IPC.

Heard and perused the material available on record.

The 2nd respondent filed a private complaint alleging that A1 executed General Power of attorney in his favour in respect of the property admeasuring 600 sq. Yards bearing No.19-5-16/2/A/5 & 4 situated at Bahadurpura, Hyderabad after receiving an amount of Rs.10 lakhs from him. As A1 could not come to India, the 2nd respondent got the document validated through endorsement dated 2.5.2011. On 5.12.2011, the 2nd respondent entered into an agreement with Mohd. Jahangir Hussain for sale of part of the said property and delivered the same to the said purchaser. Subsequently, A1 came to India and filed a false case against him. On 25.6.2012, A1 registered a sale deed in favour of A2 without knowledge of the 2nd respondent. A3 and A4 signed as attesting witnesses.

The above crime was registered in the year 2013. So far, no steps were taken against the petitioners. Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by them.

However, the 1st respondent-police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners to appear before the investigating agency for the purpose of investigation. On issuance

of such notice, the petitioners are directed to appear before the investigating agency and give an undertaking as to their future appearance as and when required 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 : 25.4.2016

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DATED 25.4.2016

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