

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8957 OF 2012

ORDER:

This petition is preferred by A.3 under Section 482 of Cr.P.C. to quash the proceedings in Crime No.51 of 2011 on the file of Paloncha Town Police Station, Khammam District registered for the offences under Sections 420, 468, 471, 506, 294(b) r/w 34 IPC.

The allegation against the petitioner and other accused are that A.1 executed four registered sale deeds dated 13.12.2002 for which A.2 to A.6 are witnesses. It is alleged that A.1 to A.6 with common criminal intention to cheat the complainant had created the said four registered sale deeds to knock away the property of the complainant and tried to use them as genuine.

Heard and perused the material available on record.

The only contention raised by the learned counsel for the petitioner is that even according to the allegations in the complaint, the petitioner is only an attestor to the alleged registered sale deeds and that there is no allegation that the petitioner is having any knowledge about the transaction of the property of the complainant.

As rightly pointed out by the learned counsel for the petitioner, the only allegation against the petitioner herein is that he is one of the attestors to the four registered sale deeds which are alleged to have been executed by A.1. Further there are civil disputes pending between the parties in connection with the said property and that the educational institution, which has

purchased the said property covered by those documents, was not added as an accused. In the circumstances, this Court is of the view that continuation of impugned proceedings against the petitioner herein is nothing but an abuse of process of law and the same are liable to be quashed.

Accordingly, the Criminal Petition is allowed and the proceedings in Crime No.51 of 2011 on the file of Paloncha Town Police Station, Khammam District are hereby quashed against the petitioner herein.

Pending Miscellaneous petitions, if any, shall stand closed.

07.09.2016

Tsr



JUSTICE RAJA ELANGO