

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4927 OF 2016

ORDER:

This Criminal Petition is filed by the petitioner-A2 under Section 482 Cr.P.C., seeking to quash the proceedings against her in Crime No.306 of 2015 on the file of Tanuku Police Station, West Godavari District, registered for the offence punishable under Sections 420, 467, 468, 475 and 120-B IPC.

Heard and perused the material available on record.

It is alleged that A1 purchased a land in an extent of Ac.2.18 cents in R.S.No.60/1 of Tanuku Town in the name of A2 to A4. A1 made a lay out in the said land and sold it to various innocent people by making plots. A1 is alleged to have sold four plots in favour of L.Ws.4 to 7. The 1st respondent entered into agreement with L.Ws.4 to 7 for building a house in the said plots. When he was about to start construction, the municipal authorities prevented him on the ground that there was no approval for the lay out. On enquiry, the 1st respondent came to know that A1 to A4 conspired and cheated the municipality by producing fake documents and caused wrongful loss to the Government.

Learned Counsel for the petitioner submitted that it is not the case of the 1st respondent that the petitioner caused any wrongful loss to him and that the private complaint filed by the 1st respondent, on which basis the above crime was registered, was referred to the police by the Magistrate without following the procedure under Section 156(3) Cr.P.C.

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. However, the 2nd respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioner. In the

event of necessity, the 2nd respondent-police are directed to issue a notice to the petitioner for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating officer and give an undertaking as to her future appearance as and when required by the investigating agency 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 : 11.4.2016

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DATED 11.4.2016

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