

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1600 OF 2016

ORDER:

1. This Criminal Petition is filed under Section 482 of Code of Criminal Procedure by the petitioner-A1 seeking to quash the proceedings against him in Crime No.314 of 2015 on the file of Korutla Police Station, Karimnagar District, registered for the offence punishable under Sections 406, 420 and 506 r/w 34 IPC.

2. Heard the learned Counsel for the petitioner-accused and the learned Public Prosecutor and perused the material available on record.

3. The allegation against the petitioner is that the petitioner got acquaintance with the mother of the 2nd respondent and he administered some pills to her with an intention to grasp her property and made her unsound and got a sale deed in his favour and he got withdrawn an amount of Rs.15,00,000/- from the account of the mother of the 2nd respondent.

4. It is the case of the petitioner that he married the mother of the 2nd respondent viz., Shankuntala, after the death of her husband and that the 2nd respondent is the daughter of the first husband of the said Shankuntala and that the petitioner purchased residential plot in the name of the said Shankuntala and the said Shankuntala constructed a house in the said property with the money sent by the petitioner from Saudi Arabia and subsequently, she gifted the same to the petitioner. Later, the petitioner gifted the said house to Shankuntala and she sold the same to the petitioner under a registered sale deed. The 2nd respondent filed a civil suit in respect of the said property and the same is pending.

5. All the grounds raised by the petitioner before this Court are the factual aspects which require investigation. Therefore, this Court is not inclined to interfere with the proceedings in the above crime.

6. However, considering the facts and circumstances of the case and in view of the pendency of the civil litigation between the parties with regard to the property in question, the 1st respondent-police concerned are directed to complete the investigation without arresting the petitioner.

The petitioner is also directed to appear before the Investigating Agency as and when required and cooperate with the Investigating Agency.

7. With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

Date: 15.2.2016

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