

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3965 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in FIR No.20 of 2016 on the file of Mangalagiri Rural Police Station, Guntur District, registered for the offence punishable under Sections 420, 468 and 471 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent-complainant intended to purchase the house site in 2013 at opposite Haailand Chinakakani. In that regard, one Mohana Rao approached the 2nd respondent and acted as mediator. A deal was settled for sale consideration of Rs.15 lakhs. The 2nd respondent paid 16 lakhs, which includes sale consideration and charges for preparation of sale deed, registration and for construction of boundary wall. The said K.V. Rama Mohana Rao entrusted the work of construction of Boundary wall to one Gaddipati Srinivasa Rao, who informed the 2nd respondent that some persons came to the property at the time of construction of boundary wall claiming ownership over the property in question. When the 2nd respondent questioned the said K.V. Mohana Rao, he informed that Seva Narasimha Rao and Gaddipati Srinivasa Rao sold out the said plot, and he promised that he will provide another plot. But he dragged on the matter and finally, threatened the 2nd respondent.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioner submitted that due to pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st 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 1st respondent-police are directed to issue 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 his 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 : 22.3.2016

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DATED 22.3.2016

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