

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2820 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.3 of 2016 on the file of Alwal Police Station, Cyberabad, registered for the offence punishable under Sections 120-B, 406, 418, 420, 464, 468 and 506 r/w 34 IPC

It is alleged that the 2nd respondent purchased the plot in question from the petitioner under registered sale deed and he started constructing a building therein. While so, A3 raised objection claiming the ownership over the plot in question and A3 informed the 2nd respondent that the petitioner along with other accused brought into existence false documents in respect of the plot in question.

Learned Counsel for the petitioner submitted that A3 is falsely claiming the title over the subject plot and that the 2nd respondent after satisfying with the title and possession of the petitioner over the property in question, purchased the same and that the allegations made against the petitioner are civil in nature and without considering the same and without following the judgment of the apex Court, the learned Magistrate referred the private complaint filed by the 2nd respondent to the police under Section 156(3) Cr.P.C.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to grant the relief sought by the petitioner.

At this stage, the learned Counsel for the petitioner submitted that due to the 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, without arresting the petitioner. In the event of necessity, the 1st

respondent-police are directed to issue notice to the petitioner for his appearance before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner shall appear before the investigating agency and give an undertaking as to his future appearance as and when required by the investigating agency for the purpose of investigation.

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

JUSTICE RAJA ELANGO

Date : 10.3.2016
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DATED 10.3.2016

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