

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4944 OF 2016

ORDER:

This Criminal Petition is filed by petitioner-A5 under Section 482 Cr.P.C., seeking to quash the proceedings against him in FIR No.275 of 2015 on the file of Central Crime Station, Hyderabad, registered for the offence punishable under Sections 406, 420 and 120-B IPC.

Heard and perused the material available on record.

It is alleged that A1 and A2 executed two unregistered agreements of sale in respect of two flats in favour of the 2nd respondent for a sum of Rs.2.15 crores and agreed to register the said documents at a later date. The 2nd respondent paid one crore to them. A1 and A2 deposited two original title deeds with the 2nd respondent as security. Subsequently, the 2nd respondent paid Rs.87 lakhs on various dates to A1 and A2 and thereafter, she insisted A1 and A2 to register the sale deeds. But they postponed the same. On enquiry, the 2nd respondent came to know that the property covered under security documents was sold away. Subsequently, a memorandum of understanding was executed, wherein A2 agreed to return the amount of Rs.3 crores with 3% interest. A2 paid Rs.56 lakhs to her. When she insisted to clear off the remaining amount due to her, A2 on the instructions of A5 gave a cheque to her and the said cheque was dishonoured.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to interfere with the proceedings in the above crime. However, 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 : 11.4.2016

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DATED 11.4.2016

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