

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2513 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in Crime No.2513 of 2016 on the file of the P.S., Nalgonda I Town, Nalgonda District, registered for the offences under Sections 403, 406, 409, 417 and 420 IPC.

Heard and perused the material.

It is the case of the *de facto* complainant that the petitioner herein received a sum of Rs.20 lakhs for construction of house to the extent of 2250 square feet and promised to complete the construction by November, 2013. As promised, he has not completed the construction and also not repaid the amount. After mediation, cheques were given and the said cheques were also dishonoured as 'insufficient funds'. Hence, the present complaint is filed.

It is evident from the record that there is a business transaction, in which the petitioner could not able to complete the construction work as promised. Hence, this Court is of the view that the present complaint can be investigated into by the police without arresting the petitioner and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioner for his appearance for the purpose of investigation and the petitioner is also directed to appear and cooperate with the investigating agency. The petitioner is also directed to submit an Undertaking for his future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions filed in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

25.02.2016
pln