

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4575 OF 2016

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ORDER:

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This Criminal Petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C., seeking to quash the proceedings against him in FIR No.62 of 2016 on the file of Rayadurgam Police Station, Cyberabad District, registered for the offence punishable under Sections 406 r/w 420 IPC.

Heard and perused the material available on record.

It is alleged that the husband of the de facto complainant entered into development agreement with A1. As per the development agreement the owner is entitled for 50% of the construction area and builder is entitled for the remaining 50%. While so, without completing the construction, A1 in collusion with A2 fabricated a sale deed with an intention to cheat the de facto complainant. Subsequently, A1 and A2 and the de facto complainant came to an understanding. According to their understanding, A1 and A2 agreed to pay Rs.75 lakhs each to the de facto complainant within a period of four months and A2 agreed to deposit the original sale deed with the land owner. It is alleged that the accused failed to comply with the understanding arrived at between them.

Considering the facts and circumstances of the case, 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 a 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 : 1.4.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 1.4.2016

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