

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.M.P.Nos.7334 and 7335 of 2016

and

Crl.P.No.6260 of 2016

ORDER

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The petitioner/A2 filed this criminal petition under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.344 of 2015 of Ghatkeshwar Police Station, Cyberabad District, registered for the offences punishable under Sections 406, 420, 506 IPC, against him.

2. The averments in the complaint would disclose that A1, who was having good relationship, took a sum of Rs.4 lakhs from the complainant to meet his personal and business needs. For payment of the said amount, A1 agreed to sell a open plot to the complainant and after negotiation the property was valued at Rs.7,50,000/- and the complainant paid the remaining sum of Rs.3 lakhs to A1. Thereafter, though the complainant is ready to pay the balance consideration of Rs.50,000/- for registration of the said plot, A1 is evading the execution of deed and sold away the said property to A2 on 20.03.2014, thereby cheated him. Based on the report, the aforesaid crime was registered against A1 and A2.

3. Today, when the matter came up for hearing, the second respondent/de facto complainant and the

petitioner/A2 are present and are identified by their respective counsel. They filed Crl.M.P.Nos.7334 and 7335 of 2016 seeking to compound the offences alleged and to quash the proceedings against the petitioner/A2. The second respondent stated that from the date of registration of crime, A1 is absconding and that the matter has been settled out of the Court with A2 with regard to the transaction between them only and therefore, he does not want to prosecute the petitioner/A2 in the aforesaid crime. Thus, he prays to quash the proceedings against him.

4. In view of the compromise arrived at between the parties, continuation of criminal proceedings against the petitioner/A2 would be a futile exercise. Therefore, it is just and proper to quash the criminal proceedings against the petitioner/A2.

5. Accordingly, the Crl.M.P.Nos.7334 and 7335 of 2016 are ordered. Consequently, the Criminal Petition is allowed and the proceedings in Cr.No.344 of 2015 of Ghatkeshwar Police Station, Cyberabad District, are quashed against the petitioner/A2. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

26th April, 2016

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