

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7134 of 2016

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.80 of 2016 on the file of Muvvalavanipalem Police Station, Visakhapatnam, registered for the offences under Sections 420, 468 r/w.34 IPC

Heard the learned counsel appearing for the petitioner/A2 and the learned Additional Public Prosecutor, representing the State.

As per the First Information Report, the petitioner/A2 and the non-petitioners/A1, A3 & A4 have got registered plot No.MIG.173 of an extent of 161.47 sq.yards in MVP Colony, Visakhapatnam in favour of the *de facto* complainant and his family members by creating fake documents and received an amount of Rs.90 lakh from him and thereby cheated the *de facto* complainant.

The learned counsel for the petitioner/A2 contended that the matter is purely civil in nature and no criminal proceedings shall lie on the petitioner/A2.

The allegations levelled in the complaint, *prima facie*, reveal the commission of offences, as alleged. This is a matter which requires investigation by the police. There are no valid grounds to quash the First Information Report.

In the facts and circumstances of the case, it is directed that the investigating agency shall proceed with the investigation, however, shall not arrest the petitioner/A2 till the investigation is completed and charge sheet is filed.

The Criminal Petition is accordingly dismissed.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 03.06.2015

Dsr