

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.5237 of 2016

ORDER

-

This petition under Section 482 Cr.P.C. is filed by the petitioner/A1 seeking to quash the proceedings in Cr.No.57 of 2016 of Eluru Police Station, West Godavari District, registered for the offences punishable under Sections 506, 448, 384 r/w 34 IPC, against him.

2. It is alleged in the complaint that the de facto complainant stood as a guarantor to one Sunitha, who borrowed a sum of Rs.20,000/- from the accused. Since the said Sunitha escaped from that place, the accused demanded the de facto complainant to repay the amount borrowed by Sunitha and accordingly, she paid a sum of Rs.4,80,000/- instead of Rs.20,000/-, but the accused criminally trespassed into the house of the de facto complainant and forcibly took her original site documents and obtained her signatures on the stamp papers by threatening her with dire consequences. Based on the complaint, the aforesaid crime was registered against the petitioner/accused.

3. It is represented that there is a case and counter case between the parties. The documents produced by the petitioner would show that there were disputes between the petitioner and the de facto complainant. Truth or otherwise of the allegations made in the complaint can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is not inclined to interfere with the impugned proceedings. However, the police concerned are directed to complete the investigation without arresting the petitioner/A1 and file a final report, if any, in

accordance with law. The petitioner/A1 is directed to appear before the investigating agency as and when required and cooperate with the investigating agency.

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this petition shall stand closed.

RAJA ELANGO, J

13th April, 2016

sj