

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7868 of 2017

ORDER:

Heard learned counsel for petitioner/ accused No.1 of Crime No.118 of 2017 of Tanuku Rural Police Station, West Godavari District, registered for the offence punishable under Sections 467, 468 and 471 IPC and also learned public prosecutor representing the 1st respondent—State before ordering notice to 2nd respondent and perused the grounds urged in the quash petition and contents of FIR.

2) A perusal of the report shows that while the complainant was going to Bhimavaram, she lost her cheques bearing numbers 112570 and 017667 of Axis Bank, Bhimavaram Branch. Immediately, on 23.05.2017, the complainant went to Axis Bank and made a request to the bank to stop payment of those cheques. Subsequently, one Bandi Nagaraju informed that he got empty cheques and started speaking in objectionable language and used to harass her. When the complainant informed to her brother, her brother contacted the SP and warned the said Bandi Nagaraju and asked the complainant to give report in writing, but she did not choose to do so till 12.08.2017.

3) The mere request of stoppage of payment of two cheques to the bank on 23.05.2017 without even producing the document and without as to what was the reason for stoppage of payment, thereby that itself no way interdicts the investigation to stay. The petitioner cannot be arrested by police pending investigation.

However, investigation shall go on and all the defences are available to the petitioner.

- 4) Accordingly, the Criminal Petition is disposed of.
- 5) Pending miscellaneous petitions, if any, in this Criminal Petition shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 19.09.2017
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