

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.555 of 2017

ORDER:

The present petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioners/Accused Nos.1 to 3 to quash the proceedings in crime No.185 of 2016 of P.S.Rajgopalpet, Siddipet.

The petitioners, who are arraigned as Accused Nos.1 to 3, alleged to have committed the offence punishable under Section 420 of IPC. Respondent No.2 herein, who is the defacto-complainant, is the wife of brother of the petitioners and her husband is admittedly no more.

Sri Parsa Ananth Nageswar Rao, learned counsel for the petitioners, submits that on the very face of the complaint, no offence punishable under Section 420 of IPC can be made out and there is material to show that in the partition that has taken place in the year 2013, the husband of the defacto complainant opted to retain the properties situated in his native place Maharashtra and, subsequently, the subject properties that fell to the share of other brothers of the husband of the defacto complainant were sold in favour of petitioner No.2 and, therefore, prayed to quash the proceedings in the aforesaid crime.

The contentions with regard to the alleged partition of the properties, retaining the properties by the husband of the defacto

complainant and also the alleged sale of the subject properties in favour of petitioner No.2, can only be examined during the course of investigation and the same cannot be probed into by this Court in the present petition. It is open to the petitioners to submit the relevant documents before the Investigating Officer for perusal in arriving at just opinion while concluding the investigation.

Accordingly, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

January 27, 2017.
v v

A. SHANKAR NARAYANA, J

