

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2873 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to quash the First Information Report in Crime No.27 of 2017 of Suryapet Rural Police Station, Suryapet District.

2. Petitioners are arraigned as accused Nos.1 to 3 in the aforesaid crime. They alleged to have committed the offences punishable under Sections 467, 471 and 420 read with 34 I.P.C.

3. Heard Sri J.Venkateswara Reddy, learned counsel for the petitioners, and learned Additional Public Prosecutor for the State of Telangana.

4. The main submission of the learned counsel for petitioners has been that three sale deeds, which were executed in the year 1998, have been now questioned by respondent No.2 - *de facto* complainant by lodging a complaint with the police concerned stating therein that his father was personated, which fact, according to the *de facto* complainant, was known to the witnesses even.

5. The purchasers under the said three sale deeds are the petitioners herein. Of course, learned counsel for the petitioners would

submit that Section 41A notices were already issued to the petitioners and the petitioners presented themselves before the Investigating Officer.

6. When a serious allegation of forgery and fabrication of registered documents is put forth associated with using them as genuine documents and thereby, committing the offence of cheating, certainly, to unravel the truth, investigation into the crime is must.

7. In such an event, certainly, it cannot be said, at this stage, that investigation into the aforesaid crime would amount to the abuse of process of law, when the complaint, at its face value, would show the names of the petitioners as accused and certain other details.

8. Hence, the present Criminal Petition is dismissed. It is needless to state that the petitioners are at liberty to make an application of this nature in changed circumstances in accordance with law.

9. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

April 07, 2017.
MD