

**THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO**

**CRIMINAL PETITION No.7030 OF 2017**

**ORDER:**

Heard learned counsel for petitioners/accused 3 to 5 of Crime No.305 of 2017, P.S. Jangaon, Warangal District, registered for the offences punishable under Sections 120B, 467, 420, 424, 405, 406 and 409 IPC, of whom, A1 and A2 are the vendor and vendee in relation to the property which is claimed as subject matter of the suit for declaration of title and possession in O.S.No.19 of 2008 said to have been filed by the husband of the defacto complainant and after his death, she claimed as one of the LRs brought on record. The said suit is still pending not in dispute to which the petitioners are also claimed as co-defendants, though no relief asked against them. It is also relevant to consider the award passed by the Land Acquisition Officer as the case may be in considering the genuineness of the imputation for the criminal prosecution of them in registering the crime, outcome of the private complaint of the 2<sup>nd</sup> respondent that was referred under Section 156(3) Cr.P.C. by the learned Magistrate since pending investigation.

2. Having regard to the above, it is premature to quash the proceedings and interdicting the investigation but for to say the petitioner shall not be arrested pending investigation and the investigation shall go on. The petitioner shall cooperate

for the fair investigation by attending whenever required for purpose of investigation.

3. Accordingly and with the above direction, this criminal petition is disposed of, by kept open all available defences. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

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**DR.B.SIVA SANKARA RAO, J**

**30.08.2017**

*Note: CC by tomorrow.  
B/o.SS*

