

THE HON'BLE SMT JUSTICE T.RAJANI

CRIMINAL PETITION NO.2617 OF 2011

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.26 of 2011 on the file of the Judl. Magistrate of I Class, Allagadda, Kurnool District.

2. Heard the learned counsel for the petitioner, learned counsel for the 1st respondent and the learned Public Prosecutor appearing for the 2nd respondent.

3. Learned counsel for the petitioner and the learned Public Prosecutor agreed that the matter may be decided at the stage of admission.

4. The counsel for the petitioner submits that the allegations made in the complaint are that two certified copies were issued in respect of same survey number showing different names and that the certified copies are proved to be genuine by the District Registrar, Nandyal, in his report. But the fact of issuance of first certified copy by suppressing one of the names, throws any amount of doubt with regard to the information given by the Registrar. Hence, it is a matter, which has to be gone into at the stage of trial. Counsel for the petitioner submits that issuance of certified copy is part of official duty, for which, sanction under Section 197 Cr.P.C. is required. No doubt about the said principle of law. Issuance of a manipulated certified copy would not be an official duty by any stretch of imagination. Therefore, non obtaining of sanction would not vitiate the proceedings.

5. With the above observation, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending, in this petition shall stand closed.

T.RAJANI, J

DATED: 03-11-2017.

Hsd