

THE HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL PETITION No.12389 of 2011

ORDER:

The present Criminal Petition is filed by the petitioners being the accused Nos.1 & 2 to quash the proceedings initiated against them in Crime No.83 of 2011 of Police Station, Ghatkesar, Cyberabad registered for the offences under Sections 420 & 380 IPC.

2. Heard the learned counsel for the petitioners, learned Public Prosecutor and learned counsel for the second respondent.

3. A perusal of the Criminal Petition reveals that the second respondent herein lodged a complaint on 24-03-2011 before the Inspector of Police, Ghatkesar stating that the valuable articles and other relevant documents from his plot No.203 are stolen by the petitioners herein with the assistance of Accused Nos.3 & 4. He also further stated in the complaint that during the subsistence of General Power of Attorney, the property was also transferred in their names. However, the petitioners filed the present Criminal Petition stating that they have purchased the Plot No.203, Block-A, Samskruthi Township for a valuable consideration of Rs.7,00,000/- from the second respondent through a registered agreement of sale-cum-General Power of Attorney dated 26-09-2008, vide document bearing No.4488/2011, registered on 26-09-2008 by the Sub-Registrar, Narapally, Ranga Reddy District. Therefore, they have contended that no allegation is made by the second respondent in the complaint and is silent with regard to the articles stolen by them. The complaint reveals that specific

allegations are made against the petitioners herein and two others for the offences alleged against them.

4. In the light of the contentions raised by the petitioners in this Criminal Petition, this Court cannot go into the disputed questions of fact as to whether the petitioners have stolen the articles belonging to the second respondent and whether the property was transferred by receiving the sale consideration or not. Therefore, it is not a case for interference by this Court Hon'ble Court.

5. Accordingly, the Criminal petition is dismissed.

6. As a consequence, miscellaneous petitions pending consideration, if any, in this Criminal Petition, shall stand closed.

Date: 12-10-2017
mrh

JUSTICE P. KESHA RAO

