

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4392 of 2017

ORDER:

Heard learned counsel for the petitioner/ accused, learned Public Prosecutor representing the State/ 1st respondent and learned counsel for the complainant/ 2nd respondent and perused the contents of the F.I.R in Crime No.104 of 2017 of Kovvur Town Police Station, West Godavari District, registered for the offence punishable under Section 420 I.P.C. and perused the grounds urged in the quash petition and also the memo showing the payment by demand draft of Rs.3,00,000/- balance amount payable under the cheque for the remaining discharged.

From the very perusal there is no element of cheating with deception from the inception to attract Section 415 I.P.C. to invoke Section 420 I.P.C. suffice to say, the F.I.R. is liable to be quashed.

Accordingly, the Criminal Petition is allowed quashing the proceedings in F.I.R. No.104 of 2017 of Kovvur Town Police Station, West Godavari District and the bail bonds of the petitioner/ accused if any, shall stand cancelled.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 18.08.2017
pab