

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7521 of 2017

ORDER :

Heard learned counsel for the petitioner/accused of Crime No.106 of 2017 of Thangalapalli Police Station, Rajanna Sircilla District, registered for the offence punishable under Sections 419 and 420 read with 34 IPCF and also learned Public Prosecutor representing the State-1st respondent before ordering notice to the 2nd respondent-*de facto* complainant and perused the grounds urged in the quash petition, F.I.R. and the so-called registered sale deed, dated 14.07.2015.

2. It is true, as pointed by learned Public Prosecutor the signatures are as G.Yellamma, whereas the Aadhar enclosed to the sale deed shows Parsha Yellamma W/o.Yellaiah and not G.Yellamma. In fact, in the sale deed recital itself Gundi Yellamma before marriage and Parsha Yellamma W/o.Yellaiah after marriage is mentioned and it is also one of the grounds in para (g) of the quash petition, therefore, there is one and the same person and there is no impersonation.

3. Having regard to the above, there shall be stay of arrest of the petitioner pending investigation. The investigation shall go on and petitioner is also at liberty to submit the material before the Investigating officer to consider and place as part of investigation. All defences of the petitioner/accused are left open.

4. With the above observation, the criminal petition is disposed of.

5. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

7th September 2017.

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