

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL REVISION CASE No.2774 of 2017

ORDER:

The present Criminal Revision Case is preferred questioning the order dated 11.10.2017 passed by the learned Principal Sessions Judge, Nalgonda in CrI.M.P.No.1140 of 2017 in S.C.No.127 of 2017, filed under Section 227 of the Code of Criminal Procedure, 1973, requesting to discharge A9, who is the petitioner herein.

Heard Sri M.A.K.Mukheed, learned counsel for the revision petitioner-A9, and the learned Additional Public Prosecutor.

The said CrI.M.P.No.1140 of 2017 was dismissed by referring to the *prima facie* incriminating material standing against the revision petitioner.

The case of the prosecution is that the revision petitioner-A9 purchased Ac.1.14 guntas of land in Sy.No.513 of Nalgonda Village from one Mohd.Younus and later A9 came to know that the said Younus fraudulently sold the same to him but failed to give possession and that some other people occupied the said land and constructed flats. In that regard, a dispute took place between A9 and the said Younus and both of them approached A1 for settlement. In that context, A1 along with his followers went to S.L.B.C. Colony on 25.08.2013 at 11.00 hours, consumed liquor in a wine shop situated at Sagar Road and there A1 noticed the said Mohd.Younus coming to the spot and A1 called A9 and A9 went there along with A10 and at

that stage A1 threatened the said Younus, settlement took place between A1 and L.W.11-Mohd.Younus and A1 asked A10 to obtain signatures on some blank papers and that was the subject matter in Cr.No.229 of 2013, which was registered for the offences under Sections 341, 384, 323, 324 r/w 34 IPC.

On the next day when the said Younus asked A1 for two days' time to fulfil his promise, in the evening of 26.08.2013 at about 5.00 p.m., A1 to A8, while were consuming liquor in a dilapidated room beside Nataraj Cinema Theatre, Bottuguda, Nalgonda, A9 called from his cell phone to the cell phone of A1 and informed that the matter of taking signatures on white papers from the said Younus went to the notice of the deceased-Jala Srinivas who got angry and questioned him as to why he entrusted the land settlement deal to A2 and saying so, A9 alleged to have asked to do something and asked A1 to kill the deceased and A10 assured to look after the cases and other consequences if A1 eliminates the deceased and A1 even spoke to the deceased from his cell phone as to why he threatened A9 and asked him to go to the bus stand to have discussion about the land dispute of A9 and, thereafter, when A1 asked the deceased to come there, the deceased promised to go over there by 6.30 and meanwhile A1 conspired with A2 to A8 for elimination of the deceased and in furtherance of their conspiracy A1 eliminated the deceased with the assistance of A2 to A8 and thereafter, concealed the said plan.

When the above allegations are examined, even at a glance, it is to be found that there is enough *prima facie* material showing the

complicity of A9 in the commission of the offence alleged against the accused persons. The learned Sessions Judge rightly refused the request of the revision petitioner-A9 and dismissed the said application. There is absolutely no infirmity, muchless legal infirmity, in the order under challenge so as to entitle A9 for discharge.

Thus, holding that there is no merit, the present Criminal Revision Case is dismissed confirming the order of dismissal passed by the learned Sessions Judge.

Miscellaneous applications, if any pending in the Revision Case stand closed.

23rd November, 2017
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A.SHANKAR NARAYANA,J

