

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46691 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.166 of 2016 on the file of Mallial Police Station, Jagtial District.

2. Heard and perused the material available on record.

3. As the private complaint lodged by the 3rd respondent was referred to the police under Section 156(3) Cr.P.C., the above crime was registered for the offence under Sections 420, 504 and 506 r/w 34 IPC. It is alleged that the petitioners and other accused agreed to sell their land to the 3rd respondent for Rs.5,14,500/- and entered into an agreement of sale and subsequently, after payment of entire sale consideration, the petitioners refused to execute a regular sale deed by demanding the 3rd respondent to pay extra money and thus, they cheated and threatened the 3rd respondent. It is the case of the petitioners that there is a civil transaction with the 3rd respondent and that the petitioners have not committed any offence as alleged.

4. The petitioners filed this writ petition challenging the investigation in the above Crime. This Court is not inclined to interfere with the proceedings in the above crime. However, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like

sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required for the purpose of investigation.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 2nd January, 2017
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