

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.926 of 2018

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.3 to 7, seeking to quash the proceedings in Crime No.674 of 2016 on the file of the Madhapur (Guttala) Police Station, Cyberabad Comissionerate, registered for the offences under Sections 420, 506, 406, 120-B read with 34 of I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.3 to 7, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The dispute between accused Nos.1 and 2 and the de-facto complainant in this case is with regard to sale of a building bearing municipal No.8-2-293/82/A/1173/A/1 situated at Shaikpet village, for a sale consideration of Rs.4,40,00,000/-. As per the agreement, dated 03.07.2013, an amount of Rs.2,00,00,000/- was paid towards advance/part sale consideration and the balance amount was agreed to be paid by the de-facto complainant on or before 15.08.2013. It appears that there was some correspondence between accused Nos.1 and 2 and the de-facto complainant with regard to the sale and purchase of the aforementioned building. The petitioners/accused Nos.3 to 7 are said to be the attestors of the agreement of sale. As per the submissions of the learned counsel for petitioners/accused Nos.3 to 7, the balance sale

consideration of Rs.2,40,00,000/- was not paid within the stipulated time and the registration was not proceeded with. Under these circumstances, this Court deems it appropriate to dispose of this Criminal Petition with appropriate directions.

4. Accordingly, the Station House Officer, Madhapur (Guttala) Police Station, Cyberabad Comissionerate, is directed not to arrest the petitioners/accused Nos.3 to 7 pending investigation; and, complete the investigation and file the charge-sheet or final report, as the case may be.

5. With the above directions, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand dismissed.

Dr. Shameem Akther, J

30th January, 2018
Bvv

