

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.8113 OF 2011

ORDER:

This Criminal Petition under Section 482 Cr.P.C. is filed to quash the proceedings against the petitioner/A.2 in C.C.No.511 of 2011 on the file of VIII Metropolitan Magistrate, Cyberabad, Rajendra Nagar, Ranga Reddy District, registered for the offences punishable under Sections 420 and 406 IPC.

2. Heard learned counsel for the petitioner and the learned Public Prosecutor appearing for the 1st respondent. None appears for the 2nd respondent in spite of service of notice.

3. The allegations in the complaint would go to show that the 2nd respondent purchased the property from A.1 under a registered sale deed, dated 11.05.1999, by paying the total sale consideration of Rs.4,00,000/-. The 1st respondent has unilaterally cancelled the said sale deed on 24.03.2006 and thereafter, executed a sale deed on 06.04.2006 in favour of the petitioner/A.2. It is stated that aggrieved by the same, the 2nd respondent filed a suit in O.S.No.171 of 2008 on the file of I Additional Chief Judge, Ranga Reddy District, seeking a relief of declaration of title and also cancellation of the registered sale deed, dated 06.04.2006. It is stated that 2nd respondent also filed a petition before VIII Metropolitan Magistrate, Cyberabad, and the same was referred to police under Section 156 (3) Cr.P.C and the same was registered as a case in Crime No.118 of 2008. It is stated that aggrieved by registration of above said crime, the petitioner filed Crl.P.No.2412 of 2008 and this Court taking a view

that if the purchaser cancelled the sale deed without informing the same to purchase or without invoking any other remedies, will cause prejudice to the transaction, and ultimately dismissed the petition.

4. It is to be seen, the allegation in the complaint is that the petitioner in collusion with A.1, got cancelled the sale deed on 24.03.2006, executed in favour of the complainant on 11.05.1999. In view of specific allegation made against the petitioner in getting such sale deed cancelled, this Court finds that the matter requires trial and then only the true facts will come to light.

5. Hence, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

AUGUST 20, 2018
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T.RAJANI, J

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Date: 20.08.2018

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