

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7222 of 2017

ORDER :

The petitioner is A.1 of Crime No.596 of 2017 of Station House Officer, Dundigual Police Station, Cyberabad, registered for the offences punishable under Sections 447 and 427 IPC, dated 15.07.2017. He is seeking to quash the First Information Report registered on the report of the 2nd respondent.

2. The report of the 2nd respondent of even date reads that the owner of the Plot No.432 by name, Gundam Parvathamma of Jaggaiahpet, entrusted him to watch and he came to know that at the plot there were digging activities and when he went there, there was one JCB and Fortuner vehicle and A.1/quash petitioner/V.Rammohan Narsing Rao @ V. Ram Mohan was there along with other persons including one Narsing Rao about twenty in number, they were filling with earth at the foundations through coolies and he questioned, they came towards him in saying what is his right with regard to the plot, then he left the place and informed the owner of the plot Gundam Parvathamma and as per her instructions presented the report. He enclosed for Plot No.432 document showing her ownership.

3. Along with the quash petition, the document of Gundam Parvathamma filed showing it is for Plot No.432 in Sy.No.21 of an extent of 342.22 sq. yards. The document of the petitioner also filed for Plot No.455 A in Sy.No.21 B of 250 sq. yards.

4. No doubt, from the very document showing by the petitioner both are different plots. It is his contention that he is making construction activities in his own plot No.455 A and nothing at Plot No.432. There is nothing to interdict the investigation therefrom, but for directing the police not to arrest the petitioner and other accused and complete the investigation including through cause survey and verify whether the construction is extending to anything in Plot No.432 for sustainability of the accusation, else to file the referred report.

5. With these observations, the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall stand closed.

30th October 2018.

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Dr. B. SIVA SANKARA RAO, J

