

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NOs.1766, 1806 AND 1809 OF 2018

COMMON ORDER:

These Criminal Petitions are filed by the petitioners-A1 and A3 under Section 482 Cr.P.C. to quash the proceedings in Cr.Nos.914, 915 and 913 of 2017 respectively, on the file of the Station House Officer, Kukatpally Police Station, Cyberabad District, which were registered for the offences punishable under Sections 447 and 427 IPC.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that all the reports lodged with the police contain same allegations and same accusation. There are similar allegations in all the reports. The police concerned have registered distinct crimes against the petitioners and other accused. There is a delay of one hour between one report and another report given to the police. In fact, these petitioners are protecting the Government land covered by Maisamma Cheruvu, FTL area. The petitioners are instrumental in making complaints to the Collector with regard to illegal encroachment of part of Maisamma Cheruvu, FTL area. These petitioners are unnecessarily roped in these cases. There is no single document to show the involvement of these petitioners in the subject crimes and ultimately, prayed to allow the petitions.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioners and contended that a notice under Section 41-A Cr.P.C. was

already issued to the petitioners. But, they have not responded and ultimately, prayed to dismiss the petitions.

5. The point for determination is whether the proceedings in Cr.Nos.913 to 915 of 2017 are liable to be quashed?

6. The 2nd respondent-de facto complainant is the Tahsildar of Kukatpally. He gave report, dated 13.12.2017 to the police making specific allegations against the petitioners that the petitioners sold land belonging to Maisamma Cheruvu without any valid documents and collected an amount of Rs.5,00,000/- to Rs.10,00,000/- from each vendee. The Tahsildar also gave names of the purchasers as follows:

1. Ammena w/o Ghouse
2. Nasreen Begaum w/o Mohd Yousuf
3. Khaja Bee w/o Late Hussaian Sab
4. Mahaboob Shareef s/o Harsan Shareef
5. Nazreen w/o Abedullah
6. Mohammed Yousuf s/o Mohd Riyaz

7. Basing on the report, dated 13.12.2017, the S.H.O. registered three distinct crimes as indicated above for the offences punishable under Sections 447 and 427 IPC and the crimes are under investigation. In the F.I.Rs. lodged with the police, there is a specific mention that around 4 to 6 persons raised basements illegally in the land of Maisamma Cheruvu, FTL area. At the stage of lodging reports, there need not be any document to show the accusation against the suspects. The allegations constituting cognizable offences are sufficient to issue F.I.Rs. The matters require investigation. Therefore, the petitions are devoid of merits and are liable to be dismissed.

8. Accordingly, the Criminal Petitions are dismissed. Miscellaneous petitions, if any pending in these Criminal Petitions shall stand closed.

DR.SHAMEEM AKTHER, J

DATED:16-02-2018.

Hsd

