

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No. 1860 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in crime No.124 of 2016 of Jagtial police station, Karimnagar district registered for the offences punishable under Sections 409 and 420 IPC, by the petitioner, who is not arrayed as an accused in the First Information Report.

2. Heard the learned counsel for the petitioner, the learned Assistant Public Prosecutor appearing for the respondent-State and perused the record.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and that his name has not been figured in the First Information Report, but his occupation was cropped in the contents of the report lodged by the informant, and that the petitioner has nothing to do with the issue of pattas and ultimately, prayed to quash the impugned proceedings.

4. On the other hand, the learned Assistant Public Prosecutor opposed the grant of relief sought in the Criminal Petition and contended that statement of defacto complainant was recorded by police wherein he gave details of the petitioner issuing false pattas and that there is also other material to connect the petitioner with the allegations made in the First Information Report, and hence, prayed to dismiss the Criminal Petition.

5. In view of the contentions put forth by both sides, the point for determination is whether the proceedings in

crime No.124 of 2016 of Jagtial police station, Karimnagar district can be quashed against the petitioner ?

6. As per the records, the petitioner is said to have collected Rs.15,000/- each from 5 persons shown in the report lodged with police on 06.09.2016 and granted house site pattas in their favour without there being competence under the Indiramma Housing scheme and the petitioner benefited unlawfully by issue of those pattas collecting huge money from the persons. The matter requires investigation. So, continuation of the impugned proceedings cannot be said to be abuse of process of Court. The Criminal Petition is devoid of merit and is liable to be dismissed.

7. The Criminal Petition is, accordingly, dismissed.

Miscellaneous Petitions pending, if any, in the Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

20.2.2018
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