

SMT JUSTICE T. RAJANI

CRIMINAL PETITION Nos.10097 and 9587 of 2011

COMMON ORDER:

The criminal petitions are filed by the petitioners, who are A1 and A8, respectively for quash of the proceedings in Cr.No.384 of 2010 on the file of the Station House Officer, Malkajgiri.

2. Heard the counsel for the petitioners; the counsel for the first respondent and the learned Public Prosecutor appearing for the second respondent.

3. The complainant is the Advocate Receiver, who was appointed in respect of the part of the land, which is subject matter of LGC.No.37 of 2006 before the Land Grabbing Court, Hyderabad.

4. The counsel for the petitioners contends that the complaint is only a counter blast to the complaint filed by the petitioners.

5. There was a specific order that the land belonging to 20 persons mentioned in the proceedings dated 21.08.2007 should not be interfered with. But it is not the case of the complainant that the land, which is, allegedly, interfered with by the petitioners herein is not part of the land, which stood in respect of the 20 persons mentioned in the said proceedings. The lands are in same survey number. Hence, it is possible that in exercise of his rights under receiver petition, the complainant might have exceeded his limits. In the light of the background facts, which lead to filing of mutual complaints, it cannot be said that the complaint is baseless. The delay in the complaint and the other contentions are all aspects, which have to be gone into at

the time of trial. Hence, this Court does not find it to be a fit case for quash of proceedings.

The criminal petitions are dismissed. Interim stay, granted earlier in CRLPMP.No.11103 of 2011 dated 21.10.2011 and CRLPMP.No.10474 of 2011 dated 12.10.2011, shall stand vacated. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

January 2, 2018
DSK

T. RAJANI, J

