

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2066 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner-A.2 seeking to quash the proceedings against her in Crime No.43 of 2018 of Indrapalem Police Station, East Godavari District, registered for the offences under Sections 468, 471, 420 r/w 34 I.P.C.

2. Heard the learned counsel for the petitioner-A.2 and the learned Assistant Public Prosecutor for the 1st respondent-State, apart from perusing the material on record.

3. Learned counsel for the petitioner-A.2 would submit that there are specific allegations against A.1, but there are no allegations against the petitioner-A.2; the allegation is that the petitioner-A.2 accompanied A.1, who is her husband; and ultimately, prayed to allow the application.

4. Learned Assistant Public Prosecutor opposed the relief sought for by the petitioner-A.2.

5. As per the material placed on record, the petitioner-A.2 is the wife of A.1. The petitioner-A.2 along with A.1 developed acquaintance with the *de facto* complainant through his friend by name Nallam Eswara Rao, who appraised the *de facto* complainant that the accused have executed business projects in South Africa, Ghana and other countries, their funds reached Reserve Bank of India, shown some documents to the *de facto* complainant and the petitioner-A.2 and A.1 require some capital for getting the funds released from the R.B.I. and assured the *de facto* complainant that they will pay 50% appreciation on the capital investment. In that process, they have collected a sum of Rs.6,00,000/-. After one

year, when the *de facto* complainant started asking return of money, the accused evaded the *de facto* complainant and ultimately, disclaimed the liability. There are also allegations that the accused have cheated some other persons and there are cases pending against the petitioner-accused No.2 and the documents shown to the *de facto* complainant in the name of R.B.I. were fake documents. A report lodged with the police to proceed against A.1 and the petitioner-A.2 under the above mentioned penal provisions. The investigation has to go on. There are no merits in this petition. The petitioner-A.2 is a woman, even it is not a ground to quash the proceedings.

6. Accordingly, the Criminal Petition is dismissed. Pending Miscellaneous Petitions, if any, shall stand closed.

22nd February, 2018
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Dr. SHAMEEM AKTHER, J

