

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2801 of 2018

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/accused No.2 seeking to quash the proceedings against him in F.I.R.No.246 of 2016 on the file of the Yadagirigutta Police Station, Nalgonda District, registered for the offences under Sections 406, 416, 417, 419, 420, 468 and 471 read with 34 I.P.C.

2. Heard the learned counsel for the petitioner/A.2, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person; he has nothing to do with the alleged Registered Sale Deed bearing Document No.3077/2006, dated 25.08.2006, registered in the office of the Sub-Registrar, Yadagirigutta; he is falsely implicated in this case and ultimately, prayed to quash the proceedings.

4. Learned Assistant Public Prosecutor opposed the same.

5. As per the material placed on record, this petitioner-A.2 along with accused No.1 created a Registered General Power of Attorney by impersonating his real brother. There is also an allegation that this petitioner-A.2 along with the G.P.A. Holder created sale deed in favour of accused No.4 vide Registered Document No.3077/2006, dated 25.08.2006, registered in the office of Sub-Registrar, Yadagirigutta. It is also brought to the notice of this Court that the photo affixed on the registered G.P.A. belongs to somebody, but the name and description of the

respondent/*de facto* complainant is mentioned therein. The petitioner is brother of the respondent/*de facto* complainant. There are specific and grave allegations against this petitioner. Therefore, it cannot be said that continuation of investigation is abuse of process of law. The truth or otherwise of the allegations made against the petitioner is required to be determined in the course of investigation only. The criminal petition is devoid of merits and it is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 07.03.2018
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Dr. SHAMEEM AKTHER, J

