

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.3071 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.6, seeking to quash the proceedings against them in Crime No.34 of 2018, Tandur Police Station, Vikarabad District.

2. Heard the learned counsel for the petitioners/A.1 to A.6, learned Assistant Public Prosecutor representing the 2nd respondent-State and perused the record.

3. Learned counsel for the petitioners/A.1 to A.6 would submit that the petitioner/A.1 was adopted by the sister of late Nagappa. There is a dispute with regard to the property left by Nagappa admeasuring Acs.10.11 guntas situated at Malreddypally Village, Tandur Mandal, Vikarabad District. The de facto complainant is also claiming to be successor of the property left by Nagappa. The adjudication in respect of the disputed land is pending before the Revenue Divisional Officer concerned, wherein the de facto complainant had not filed counter yet.

4. The dispute between the parties appears to be civil in nature. However, to ascertain the truth or otherwise of the allegations made in the report do require investigation. Since the petitioner/A.1 is claiming to be the successor of Nagappa in respect of the disputed land, the other accused in this case are family members and friends of A.1, their interest is required to be protected. Under these circumstances, the investigating officer is directed to complete the investigation and file final report without arresting the petitioners/A.1 to A.6.

5. With the above direction, this Criminal Petition is disposed of.
Pending Miscellaneous Petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date : 13.03.2018
ssp

