

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.8785 of 2011

ORDER:

This criminal petition is filed, seeking for quash of the proceedings in C.C.No.274 of 2010, against the petitioner, who is A5, on the file of the Additional Judicial Magistrate of First Class, Amalapuram. The offences alleged are under Sections 465, 467, 468 and 420 read with Section 34 of the Indian Penal Code and Section 156(3) of the Criminal Procedure Code.

2. Heard the counsel for the petitioner and the learned Public Prosecutor, appearing for the respondent.

3. The averments in the complaint are that A1, who is the brother of the defacto complainant, fabricated the relinquishment deed, as if the share of the defacto complainant is relinquished in favour of A1, by introducing A2 as the daughter of the defacto complainant, since the name of A2 is also the same as that of the defacto complainant. The petitioner herein is the document writer of the said relinquishment deed. The complaint shows that omnibus allegations were made against A3 and A10, as the persons, who supported illegal transactions. Absolutely no role played by A5 is stated in the complaint. It is not even mentioned in the complaint that the document writer helped A1 and A2 to fabricate the document. It cannot be assumed that A5 would know that A2 is not the complainant, as she is projected to be the complainant and her name also seems to be the same as that of the complainant. Hence, from the

complaint itself nothing can be gathered against the petitioner herein, who is the document writer.

In the light of the above, the criminal petition is allowed and the proceedings in C.C.No.274 of 2010, against the petitioner, who is A5, on the file of the Additional Judicial Magistrate of First Class, Amalapuram, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

September 28, 2018
DSK

T. RAJANI, J

