

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4264 OF 2018

ORDER.

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioners/accused seeking to quash the proceedings against them in Cr.No.435 of 2017 of Shamshabad Police Station, Cyberabad, registered for the offences under Sections 419 and 420 I.P.C.

The allegations in the complaint in brief are, the complainant is the owner of Ac.2.11 guntas in Survey No.32/AA at Jukal village. On 27-9-2017, when he went to Sub-Registrar's Office, he came to know that the land of an extent of 400 yards belonging to him was sold to some third party vide document No.3115/2011 dated 12-12-2011. Hence, he lodged a complaint to the police. Investigation is reported to be pending.

Learned counsel for the petitioner while seeking quashment would strenuously argue that petitioner is a bonafide purchaser and the complaint is not maintainable without adding attestors of the document.

It is seen that these aspects can be decided only after a thorough investigation.

Therefore, in the considered view of this court, the investigation shall lead to its logical conclusion. Of course, having regard to the facts of the case, the Investigating Officer shall strictly follow the guidelines of the Apex Court rendered in *ARNESH KUMAR*

Vs. STATE OF BIHAR (¹) and also follow the provision under Section 41-A Cr.P.C. towards the petitioners. In turn, the petitioners shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, this Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending if any, shall stand closed.

JUSTICE U.DURGA PRASAD RAO

Dated 27th April, 2018.

Dvs



¹ 2014 (3) ACR 2670 (SC)

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