

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

I.A.No.2 of 2018 in CrI.P.No.4878 of 2018

in

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COMMON ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C, by the petitioners/A.2 and A.5 seeking to quash the proceedings against them in Crime No.32/2018 of Bowenpalli PS, Hyderabad City, registered against them and other accused for the offences under Sections 406 and 420 IPC.

2) The brief allegations of the complaint are that on seeing the auction advertisement dated 17.11.2017 offering for sale of open plot bearing Nos.94/A, 95/A, 96/A, 97/A each admeasuring 200 sq.yards, the complainant contacted the petitioner/A.2—the authorized officer and submitted tender on 09.01.2018 for purchase of Plot Nos.94/A to 98/A and after verifying the documents submitted by the petitioner/A.2, the complainant submitted online tender for purchasing the plots for Rs.70,08,000/- and the same was confirmed by the petitioner/A.2 and as per the terms and conditions he deposited Rs.18 lakhs through online transfer from his banker SBI, Bowenpally Branch. Later on enquiry, the complainant came to know that some third parties are claiming the said property. On being felt that he was cheated, he lodged a report.

3) Investigation is reported to be pending.

4) While-so, when the matter is pending, the *defacto* complainant and petitioners/A.2 and A.5 filed I.A.No.2/2018 seeking permission of this Court to compound the offences.

5) Today, the *defacto* complainant along with his counsel Sri P. Srinivas, are present. A.2 and A.5 along with their counsel Mrs.Kalpana Ekbote, are present. Both the parties are identified by their respective counsel.

6) On enquiry by this Court, the *defacto* complainant while affirming the contents of the joint memo and his affidavit of the compounding petition, would submit that he has received back his amount of Rs.18 lakhs from the petitioners and therefore, he has no objection for quashing the proceedings against the petitioners. In that view of the matter, considering the fact that it is a property dispute which the parties have amicably settled among themselves at the intervention of elders and the crime has no repercussion on the society, permission can be accorded to the parties to compound the offences.

7) With the above observations, I.A.No.2 of 2018 is allowed and the parties are permitted to compound the offences involved in Crime No.32/2018 of Bowenpalli PS, Hyderabad City. Consequently, Criminal Petition No.4878/2018 is allowed and the proceedings in Crime No.32/2018 against the petitioners/A.2 and A.5 are quashed.

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

U. DURGA PRASAD RAO, J

Date: 26.04.2018
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