

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.4820 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 to 3, to quash the proceedings in Crime No.248 of 2017 of Maheshwaram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 447, 427 of I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 3, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioners/accused Nos.1 to 3 would submit that the petitioners/accused Nos.1 to 3 are the absolute owners and the possessors of the subject land admeasuring two acres situated in Survey Nos.149 & 150 at Sirigiripuram Village, Maheshwaram Mandal, Ranga Reddy District. They have not alienated the property either to the de-facto complainant or to anybody else. False report is lodged by the de-facto complainant at the instance of one Mahender Reddy. The de-facto complainant did not state under which document he purchased the property either from the petitioners/accused Nos.1 to 3 or from the vendees of the petitioners/accused Nos.1 to 3 and ultimately prayed to allow the Criminal Petition.

4. In the course of hearing, it is brought to the notice of this Court that a suit in O.S.No.181 of 2017 on the file of XIV Additional District & Sessions Judge, Ranga Reddy District, is filed by the petitioners/accused

Nos.1 to 3 against the de-facto complainant and said Mahender Reddy and the said suit is pending. The dispute between the parties to the litigation appears to be civil in nature. The truth or otherwise of the allegations levelled against the petitioners/accused Nos.1 to 3 can only be determined after due investigation. However, the interest of the petitioners/accused Nos.1 to 3 is required to be protected.

5. Under these circumstances, the Station House Officer concerned is directed to complete the investigation and file Final Report before the Court concerned, without arresting the petitioners/accused Nos.1 to 3.

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

01st May, 2018
Bvv



Dr. SHAMEEM AKTHER, J