

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.10786 OF 2011

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-1 and A-2 seeking to quash the proceedings in Crime No.514 of 2011 of S.N.Puram Police Station, Vijayawada City, registered for the offences punishable under Sections 420, 405 and 468 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the 1st respondent – State. None appears on behalf of Sri G.Ramachandra Reddy, learned counsel appearing on behalf of the 2nd respondent – *de-facto* complainant.

3. Learned counsel for the petitioners submits that the allegations in the complaint are that the petitioners herein, being husband and wife, by submitting some fake documents belonging to certain vehicles, obtained loan from the complainant.

4. Learned counsel for the petitioners submits that the petitioners, in fact, did not submit any such documents, pertaining to any vehicles, but they submitted only cheques and pronotes. But, at this stage, the averments in the complaint are material. When there is a clear averment stating that the documents pertaining to certain vehicles were given and the vehicle numbers were also mentioned, it is a matter for investigation.

5. Hence, in view of the nature of allegations, this Court opines that this is not a fit case to quash the proceedings against the petitioners, at this stage. Hence, the Criminal Petition is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed. However, considering the request of the petitioners that the Police concerned are directed to follow Section 41-A of Cr.P.C. before effecting the arrest of the petitioners/A-1 and A-2.

7. As a sequel, miscellaneous petitions if any, pending in this Petition shall stand dismissed.

T. RAJANI, J

Date: 04.10.2018.
Dsh



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