

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.12244 OF 2011

ORDER:

The present Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioners - accused seeking to quash the proceedings against them in Crime/F.I.R. No.105 of 2011, dated 05.09.2011, of Krosuru Police Station, Guntur District, Andhra Pradesh State registered for the offence punishable under Section 420 of the Indian Penal Code, 1860.

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor for the State of Andhra Pradesh appearing for respondent No.2 and learned counsel for respondent No.1.

3. The allegations made in the complaint are that the *de facto* complainant, who is respondent No.1 herein, is living on agriculture, and one M. Someswara Rao informed him that land in his village came for sale and offered him to purchase jointly and he went there and the petitioners offered to sell the land. The *de facto* complainant, M. Someswara Rao and two others intended to purchase the same. They paid a sum of Rs.5,40,000/- to petitioner No.1 in the presence of L. Subba Rao and G. Sesagiri Rao, and separate agreements were executed. The petitioners made the *de facto* complainant believe that the said land belongs to them. On 15.08.2011, when they went to the Registrar's office, the petitioners did not come to the office, and on

enquiry, they came to know that the land shown to the *de facto* complainant belongs to one M. Vijaya Lakshmi and not the petitioners.

4. From the above allegations, it can be understood *prima facie* the offences alleged against the petitioners are attracted.

5. Hence, in view of the above said circumstances, this Court opines that it is not safe to quash the proceedings at this stage and, accordingly, the present Criminal Petition is dismissed.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed.

October 29, 2018
Mgr

SMT. T. RAJANI, J

