

SMT JUSTICE T.RAJANI

**CRIMINAL PETITION Nos.9165, 9166, 9167, 9168, 9169, 9170, 9171,
9172, 9173, 9174, 9175 AND 9176 OF 2011**

COMMON ORDER:

These Criminal Petitions, under section 482 of Cr.P.C., are separately filed by the Petitioner/A-2 seeking to quash the proceedings in C.C. Nos.718, 370, 174, 755, 438, 385, 439, 371, 207, 175, 433 and 689 of 2009 respectively, pending on the file of the Court of III Metropolitan Magistrate at Vijayawada, Krishna District (for short, 'the trial Court'), registered for the offences punishable under Sections 406 and 420 of I.P.C.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, appearing for the 1st respondent – State. None appears for the 2nd respondent - complainant, in all these petitions, in spite of service of notice.

3. The aforesaid Cases were registered based on the private complaints filed by the complainants stating that A-1 is Sri Rajkamal Housing Private Limited, which is a Company engaged in the business of development of plots and the petitioner herein is A-2, the Managing Director of said Company, caused wide publicity through number of brochures, advertisements including the staff and representatives of Company and approached the complainants in person, succeeded in booking of the plots by them; by receiving the entire sale consideration amounts of the respective plots from the complainants the petitioner did not register the respective plots in their favour and postponed the same on one pretext or the other. On credible enquiries, through the relatives and friends of the complainants, they came to know that ownership of the respective plots is not with Sri Rajkamal Housing Private Limited and they further learnt that the Company is involved in multiple registrations of same plots and number of criminal cases are pending against the Company - A-1 and also against the petitioner – A-2, being Managing Director of Sri Rajkamal Housing Private Limited.

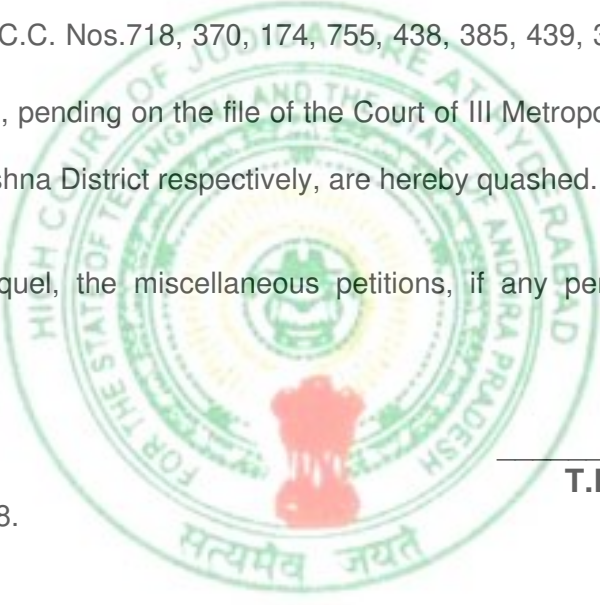
4. Learned counsel for the petitioner submits that earlier, when a similar complaint was filed against the petitioner, he preferred Criminal Petition No.3035 of 2001, under Section 482 of Cr.P.C., before this Court; wherein this Court by virtue of the order, dated 20.02.2002, quashed the proceedings against him in Crime No.310 of 2000 of Machavaram Law and Order Police Station, Vijayawada.

5. A perusal of the order would show that this Court having considered that the dispute was purely civil in nature quashed the proceedings. Hence, for the same reason, this Court opines that these Petitions are also to be allowed.

6. In the result, all these Criminal Petitions are allowed and all further proceedings in C.C. Nos.718, 370, 174, 755, 438, 385, 439, 371, 207, 175, 433 and 689 of 2009, pending on the file of the Court of III Metropolitan Magistrate at Vijayawada, Krishna District respectively, are hereby quashed.

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

Date: 18.09.2018.
Dsh



T.RAJANI, J

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DSH