

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.10812 of 2011

ORDER:

This Criminal Petition is filed by petitioners/A1 & A2 under Section 482 Cr.P.C, seeking to quash the proceedings against them in Crime No.577 of 2011, of Chilkalguda Police Station, Hyderabad, registered for the offence under Sections 420, 406 & 506 IPC.

Brief facts of the complaint are that the petitioners/A1 & A2 are husband and wife. They registered a firm in the name and style of Winmarg Resorts and Developers on 16.4.2011 and they invited the de-facto complainant to join as member in the said firm. The de-facto complainant joined in the firm and he got admitted the members from the different districts by collecting primary membership fee of Rs. 6,000/- each. It is alleged that the first petitioner purchased Ac.5 of land in Mudhupuram Village of Valigonda Mandal of Nalgonda District. It is also alleged that the petitioners received a sum of Rs. 90,000/- from the son of the de-facto complainant as well as other members and executed a document assuring that he will pay a sum of Rs. 56,00,000/- in favour of them, thereafter he absconded, as such the accused have willfully cheated the de-facto compliant and others in paying the amounts.

Having regard to the nature of the allegations, this Court is of the considered view that the investigation shall lead to its logical conclusion. The Investigation Officer shall investigate into the matter and file the report expeditiously. However, having regard to the nature of the matter, the

Investigating Officer shall scrupulously follow the guidelines rendered by the Hon'ble Apex Court in **Arnesh Kumar V. State of Bihar**¹ and follow the procedure contemplated under Section 41-A Cr.P.C., during the course of investigation. Petitioners/A1 & A2 in turn shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, the Criminal Petition is disposed of. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

Date: 25.07.2018
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U.DURGA PRASAD RAO, J



¹ (2014) 8 SCC 273