

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.10536 of 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the charge sheet against the petitioner/A.3 in C.C No.1106 of 2016 on the file of XXV Metropolitan Magistrate, Kukatpally at Miyapur, Cyberabad, Ranga Reddy District, registered for the offences punishable under Sections 420, 468 and 471 IPC.

2. The 2nd respondent-Urooj Kumar lodged a complaint with the Station House Officer, Madhapur Police Station, Cyberabad, alleging that this petitioner along with A.1 and A.2 duped many job seeker by conducting fake interviews and issuing fake appointment letters on behalf of Synechron Technologies Private Limited, stating that they are team of HRD, Synechron, Hyderabad.

3. On the basis of above complaint, police registered a case in Crime No.511 of 2015 and issued FIR for the aforesaid offences. On the basis of FIR, the Sub-Inspector of police took up investigation, examined as many as 12 witnesses and recorded their statements under Section 161 (3) Cr.P.C. Basing on the material collected during investigation, the Sub-Inspector of police came to the conclusion that *prima facie* there is material to proceed against this petitioner along with other accused for the above said offences and filed charge sheet before the Court concerned. The learned Magistrate took cognizance of the offences and issued summons to the petitioner and other accused persons.

4. The petitioner filed this petition to quash the proceedings against her on the ground that she is nothing to do with the alleged collection of any amount and issuance of fake appointment letters, therefore, taking cognizance against her is abuse of process of law as none of the allegations made in the charge sheet do not constitute any offence much less the offences punishable under Sections 420, 468 and 471 IPC.

5. During hearing, learned counsel for the petitioner reiterated the contentions and role played by the petitioner is only that she conducted interviews at the instance of A.1 and A.2; that A.1 and A.2 created fake appointment letters and issued appointment orders on behalf of the company and thus the allegations made in the complaint do not constitute any of the offences referred to above and requested this Court to quash the proceedings against the petitioner.

6. As seen from the allegations made in the charge sheet, it is an undisputed fact that this petitioner conducted interviews on behalf of the company as HRD at the instance of A.1 and A.2. A.1 and A.2 allegedly collected an amount of Rs.1,50,000/- and Rs.1,25,000/- and issued fake appointment letters to two persons, who approached the 2nd respondent with those letters and found that they were fake letters. During investigation, the appointment letters were sent to the FSL and found that those letters were not signed by the concerned person of the Company. Based on the information and after completion of investigation, the Inspector of Police concluded that this petitioner along with A.1 and A.2 hatched a plan and issued fake appointment letters.

7. Learned counsel for the petitioner though contended that the role of the petitioner is limited i.e., conducting interviews as Manager HRD of the company, the same is not accepted when there is no company at all to conduct interviews as HRD and this question has to be decided during trial only. The petitioner has conducted interviews at the instance of A.1 and A.2, who issued fake appointment letters, such act would constitute the offence punishable under Section 420 IPC though she is no way concerned with the company and it is not in existence, which would certainly amount to cheating as defined under Section 415 IPC. Therefore, I find no ground to quash the proceedings against this petitioner since she is also part and parcel of the transaction for issuance of fake appointment letters to various persons by collecting huge amounts at the instance of A.1 and A.2.

8. Accordingly, the Criminal Petition is dismissed at the stage of admission. Miscellaneous petitions, if any, pending in this petition shall stand closed.

M. SATYANARAYANA MURTHY,J

OCTOBER 04, 2018

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Date:04.10.2018

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