

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1053 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2 to quash the proceedings in Crime No.828 of 2018 in Madhapur Police Station, Cyberabad, registered for the offences punishable under Sections 419, 420 and 471 read with 120B of IPC.

2. Heard the learned counsel for the petitioner/A.2, the learned Additional Public Prosecutor representing the 1<sup>st</sup> respondent-State, the learned counsel for the 2<sup>nd</sup> respondent and perused the record.

3. Learned counsel for the petitioner/A.2 would submit that the land in dispute is situated at Medchal-Malkajgiri Police Station limits. Madhapur Police Station has no jurisdiction to entertain the complaint. The allegations made against the petitioner/A.2 in the FIR are false. No offences are made out to proceed against the petitioner/A.2 for the offences punishable under Sections 419, 420 and 471 read with 120B of IPC and ultimately, prayed to allow the petition.

4. Learned Additional Public Prosecutor representing the 1<sup>st</sup> respondent/State would contend that there is specific allegation in the report dated 09.10.2018 that an amount of Rs.1.00 crore was paid to the petitioner/A.2, which was payable to A.1, at Ayyappa Society, situated at Madhapur within the limits of Madhapur Police Station. Further, it is also contended that there are allegations of personation of original owner and fabricating the registered sale

deed by the petitioner/A.2 constituting the offences punishable under Sections 419, 420 and 471 read with 120B of IPC. Therefore, there are no grounds to quash the proceedings.

5. Learned counsel for the 2<sup>nd</sup> respondent-de facto complainant had also supported the submissions made by the learned Additional Public Prosecutor.

6. It is evident from the report, dated 09.10.2018, lodged with the police, Madhapur, that an amount of Rs.1.00 crore was paid to the petitioner/A.2, which was payable to A.1 towards sale consideration of the land proposed to be purchased by the *de facto* complainant. There are also allegations of obtaining three registered sale deeds bearing document No.881/2016 dated 22.01.2016, document No.550/2016 dated 12.01.2016 and document No.521/2016 dated 12.01.2016, wherein the petitioner/A.2 is the attesting witness. There is specific mention that the subject land belongs to one Syed Mouniddin and the said vendor was impersonated and the so-called three registered sale deeds were fabricated at the instance of the petitioner/A.2 and other accused. There are also other allegations. All these allegations are sufficient to constitute the offences under Sections 419, 420 and 471 read with 120B of IPC. Therefore, there is nothing wrong in the registration of FIR by the Station House Officer, Madhapur Police Station, when there is information with regard to the commission of cognizable offences. The investigation has to go on. Under these circumstances, the Criminal Petition is devoid of merit and is liable to be dismissed.

7. In the result, the Criminal Petition is dismissed.

Pending miscellaneous petitions, if any, shall stand dismissed.

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Dr. SHAMEEM AKTHER, J

Date:03.04.2019  
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