

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION Nos.1964, 1965 & 2166 OF 2019

COMMON ORDER :

These Criminal Petitions, under Section 482 of the Code of Criminal Procedure, 1973, are filed by the petitioners/A.1 to A.5 seeking to quash the proceedings arising out of F.I.R.No.187 of 2018 on the file of Central Crime Station, Hyderabad registered for the offences punishable under Sections 420, 406, 468 and 471 read with 34 of IPC.

2. Heard the learned counsel for the petitioners/A.1 to A.5, the learned Additional Public Prosecutor representing respondent No.1-State and perused the record.

3. Learned Additional Public Prosecutor representing the 1st respondent-State submits that provisions under Section 41-A Cr.P.C. have been complied with.

4. In the First Information Report, which is registered based on the complaint lodged by the Managing Director of M/s Roma Infrastructures India Private Limited, it is stated that his company filed an application before the National Company Law Tribunal, Ranigunj, Secunderabad, under Section 9 of Insolvency and Bankruptcy Code, 2016, wherein M/s A.S. Iron & Steels India Private Limited filed a counter enclosing some documents.

5. However, it is alleged in the FIR that the said documents were fabricated; that there was no supply of TMT bars under way bills and the invoices; that the Chartered Accountant has taken cognizance of the documents, certified the same and that there is criminal conspiracy between the Chartered Accountant and M/s A.S. Iron & Steels India Private Limited in fabrication of the documents. It is further alleged that

no delivery challans, no computerized weigh bridge slip and no gate pass, etc., were filed to support the delivery of goods covered by the said documents. The said documents were fabricated and filed before the National Company Law Tribunal for making a wrongful gain of Rs.75,00,000/-.

6. Having regard to the nature of allegations levelled against the petitioners/A.1 to A.5, it cannot be said that no cognizable offences are made out against them. At this stage, the proceedings in the said FIR cannot be quashed against the petitioners/A.1 to A.5. However, no coercive steps shall be taken against the petitioners/A.1 to A.5.

7. With the above direction, the Criminal Petitions are disposed of.

Miscellaneous petitions, if any, pending in these Criminal Petitions shall stand closed.

20.06.2019
ssp

JUSTICE G. SRI DEVI