

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.3045 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 to 3, to quash the proceedings in Crime No.658 of 2018 of Saifabad Police Station, Hyderabad, registered for the offences punishable under Sections 406, 420, 468 and 471 I.P.C.

2. Heard the learned counsel for the petitioners/accused Nos.1 to 3, the learned Additional Public Prosecutor appearing for the 2nd respondent-State and perused the record

3. On 08.12.2018, the complainant lodged a complaint, wherein it is stated that Mumtaz Yar-Ud-Dowla Waqf, Malakpet, is a Wakf board running educational institutions at different places; that the said Wakf board is also having properties at different places; that there is a dispute pending with regard to managing committee of the Wakf board; that while so, the petitioners without having any right in the managing committee of the Wakf board, they are styling as President, Secretary and Member of the Wakf board and illegally let out the mulgies of the Wakf board and collecting rents from the occupants and thereby, committed the aforesaid offences. Hence, he filed the present complaint to take necessary action against the petitioners.

4. Learned counsel for the petitioners/accused Nos.1 to 3 would submit that the petitioners are innocent persons and they did not commit any offence as alleged in the complaint and hence, he prays to quash the proceedings against the petitioners in the aforesaid crime.

5. Looking into the allegations levelled against the petitioners/accused Nos.1 to 3, it cannot be said that no cognizable offence is made out against the petitioners/accused Nos.1 to 4. Therefore, at this stage, the proceedings in the subject crime cannot be quashed against the petitioners/accused Nos.1 to 3. However, the respondent-police shall not take any coercive steps against the petitioners/accused Nos.1 to 3 till submission of final report by the police under Section 173 (2) Cr.P.C. It is needless to observe that the Investigating Agency shall complete the investigation and petitioners/accused Nos.1 to 3 shall co-operate with the investigating agency in investigation of the case.

6. With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

JUNE 19, 2019

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Date:19.06.2019

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