

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 5844 of 2019

ORDER :

1. This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of investigation in Crime No.14 of 2016 of Wardhannapet Police Station, Warangal City, registered against the petitioners and others for the offences punishable under Sections 406, 420, 465, 466, 467, 471, 473 and 474 read with 34 IPC.

2. The facts in issue are as under:

A case in Crime No.14 of 2016 came to be registered for the alleged offences on the basis of a complaint lodged by the Branch Manager, Andhra Bank, Elanda Branch, wherein it is alleged that the petitioners/who are farmers, have availed crop loans from the Andhra Bank, Elanda Branch, on furnishing of their pattadar pass books and title deeds and the then Branch manager sanctioned the said loans nearly to 236 farmers during the months of September and October, 2015. It is further alleged that on 31.10.2015 a news item was published in Saakshi Telugu daily newspaper stating that some of the farmers have obtained crop loans by submitting fake pattadar pass books/title deeds/pahanies. After due enquiry with regard to genuineness of the title deeds, the Branch Manager, noticed that the petitioners, who are farmers, have obtained the loans by submitting fake documents and thus cheated the bank.

It has been submitted on behalf of the petitioners that the petitioners are agriculturists and they are absolute owners of their

respective lands. They obtained crop loans by submitting pahanies issued by the concerned Tahsildar and the same are genuine one. It has been further submitted that they raised crops and if they are arrested, it would cause heavy loss to their agricultural operations.

3. From a perusal of the First Information Report, *prima facie* cognizable offences are made out against the petitioners. Therefore, I do not find any cogent reason to quash the proceedings in the above crime. Hence, the prayer for quashing the first information report in respect of all the petitioners is refused.

4. However, in the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, it is directed that the petitioners shall not be arrested, in the aforesaid case till filing of the final report, subject to the condition that they shall co-operate with the investigation and shall appear as and when called upon to assist in the investigation.

5. With the above direction, the Criminal Petition is disposed of. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand dismissed.

JUSTICE G. SRI DEVI

18.09.2019
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