

HON'BLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION Nos.2708 AND 2715 OF 2022

COMMON ORDER:

Heard Mr. M.V. Rajkumar Gabriel, learned counsel for the petitioners in both the petitions and learned Assistant Public Prosecutor appearing for respondent No.1, and perused the record.

2. The petitioners in Crl.P. No.2708 of 2022 are arraigned as accused Nos.6 and 7 in Crime No.1151 of 2021 of Jawaharnagar Police Station, Rachakonda Commissionerate, while the petitioner in Crl.P. No.2715 of 2022 as accused No.5. The offences alleged against them are under Sections - 406 and 420 of IPC.

3. Learned counsel for the petitioners would submit that in the complaint dated 23.12.2021, the names of the petitioners were not mentioned. During the course of investigation, the Investigating Officer on coming to know about the role played by the petitioners herein in the commission of offence, added them as accused Nos.5 to 7.

4. The allegation against the petitioners herein is that they had collected the money and shared the same along with other accused and spent the same for their lavish needs. The petitioners herein in Crl.P.

No.2708 of 2022 are also accused in Crime No.148 of 2022 of Ghatkesar Police Station for the offences under Sections - 406, 468, 420 and 120B read with 34 IPC and in Crime No.74 of 2022 of Narsampet Police Station for the offences under Sections - 468, 471, 406 and 120B read with 34 of IPC. Petitioner No.1 in Crl.P. No.2708 of 2022 and the petitioner in Crl.P. No.2715 of 2022 have filed writ petitions vide W.P. Nos.11508 and 11522 of 2022 respectively to declare the action of the Police Officials in calling them to the police station without registering any crime against them. This Court vide order dated 07.03.2022 disposed of the said writ petitions separately, and considering the submissions made by the learned Assistant Government Pleader for Home with regard to the registration of the present crime on the complaint lodged by respondent No.2, directed the police to investigate into the subject crime, strictly, in accordance with law and shall not harass or take any coercive measures against the said petitioners, if their role was not made out in the subject crime. Now, the petitioners in both the petitions are accused Nos.5 to 7, and the role played by them is also specifically mentioned in the remand report.

5. Learned Assistant Public Prosecutor has produced copies of the statements of nineteen (19) witnesses recorded under Section - 161 of the Cr.P.C., and all of them specifically stated that the petitioners herein have also shared the amount collected by other accused and spent the same for their lavish needs. The total amount collected is about Rs.93.00 lakhs. Thus, *prima facie*, there are specific allegations against all the petitioners herein and the same are serious in nature. They have cheated the innocent people including the 19 victims and collected Rs.93.00 lakhs. In view of the said allegations and considering all the above aspects, the petitioners herein are not entitled for any relief, much less the relief sought by the petitioners with regard to the quashment of Crime No.1151 of 2021 of Jawahar Nagar Police Station.

6. The present Criminal Petitions are accordingly dismissed.

As a sequel, the miscellaneous petitions, if any, pending in the criminal petitions shall stand closed.

7th April, 2022
Mgr

K. LAKSHMAN, J