

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1810 OF 2023

Between:

1. Bhawar Lal Byas, S/o. G.D. Byas, aged 71 years, Occ: Business, D.No.1-2-593/21, Flat No.302, Occ. Business Lakshmi Legend Apartments, Domalguda, Street No.3, Gagan Mahal, Hyderabad.
2. Smt. Niharika Byas, D/o. Bhawarlal Bas, aged 45 years, Occ: Business, (The 2nd Petitioner (A2) is presently Residing at No.4368, Brandon Gate Drive, Malton On L4T3K4, Toronto, Canada, A2 (2nd Petitioner herein) is represented by her G.P.A. Holder Smt. Vaddepally Saritha, W/O Vaddepally Srishailam, Aged 34 years, Occ: housewife, R/O Plot Nos.77 and 78, Vinayakanagar, Hayathnagar, R.R. district.
3. Nithin Byas, S/o. Bhawar Lal Byas, aged 41 years, Occ: Business, D.No.1-2-593/21, Flat No.302, Occ. Business Lakshmi Legend Apartments, Domalguda, Street No.3, Gagan Mahal, Hyderabad.
4. Sneha, D/o. Bhawar Lal Byas, aged 34 years Occ: Housewife, D.No.1-2-593/21, Occ. Business Flat No.302, Lakshmi Legend Apartments: Domalguda, Street No.3, Gagan Mahal, Hyderabad.

...Petitioner (Accused 1 to 3 and 5

AND

1. State of Telangana, Represented by Station House Officer, Saidabad P.S., Hyderabad Police Commissionerate, Hyderabad, Through the Public Prosecutor, High Court for the State of Telangana, Hyderabad.
2. G. Raju Goud, S/O Eshwaraiah, Aged 42 years, Occ. business, R/O D.No.16-2-266, Saidabad, Hyderabad
3. Vaddepally Srisailam, S/O Venkatesham Aged 45 years, Occ. business, Native of H.No.1- 95, Thallavellamma village, Chityal Mandal, Nalgoda district, Presently residing at Plot Nos.77 and 178, Vinayakanagar, Hayathnagar, Ranga Reddy district. (Accused No.6, who is A3 herein is only formal party to this CrI.P)

...RESPONDENT/COMPLAINANTS

Petition Under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to and connected with Cr.No.574/2022 u/s 406, 417, 420, 506 r/w Section 34 IPC and 156 (3) Cr.P.C. of Saidabad P.S., Hyderabad and quash the same.

I.A. NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to dispense with in filing of the certified copy of F.I.R. in Cr.No.574/2022 U/s 406, 417, 420, 506 r/w Section 34 IPC and 156 (3) Cr.P.C. of Saidabad P.S., Hyderabad in the interest of justice.

I.A. NO: 2 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in Cr.No.574/2022 u/s 406, 417, 420, 506 r/w Section 34 IPC and 156 (3) Cr.P.C. of Saidabad P.S., Hyderabad, including the arrest of the Petitioners who are Accused 1, 2,3 and 5 in the above crime, pending disposal of the Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri ARVIND KUMAR KATA, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No.1 and of Sri M. ANIL KUMAR, Advocate for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.1810 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners- Accused Nos.1, 2, 3 and 5 to quash the proceedings against him in FIR No.574 of 2022 pending on the file of Station House Officer, Saidabad Police Station, Hyderabad. The offences alleged against him are under Sections 406, 417, 420 and 506 r/w 34 of Indian Penal Code (for short 'IPC') and Section 156(3) of Cr.P.C.

2. Heard both sides.
3. Learned counsel for the petitioners submits that the petitioners are the bonafide purchasers of the property.
4. Considering the facts and circumstances of the case, this Criminal Petition is disposed of directing the Investigating Officer in respect of FIR No.574 of 2022 pending on the file of Station House Officer, Saidabad Police Station, Hyderabad, to conclude

investigation as expeditiously as possible, by considering that the transactions in question are purely civil in nature and that petitioners are bonafide purchasers of property, according to the learned counsel for the petitioners. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Saidabad Police Station, Hyderabad District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. ARVIND KUMAR KATA, Advocate [OPUC]
5. One CC to SRI. M. ANIL KUMAR, Advocate [OPUC]
6. Two CD Copies

PSR





HIGH COURT

DATED:22/02/2023

ORDER

CRLP.No.1810 of 2023



DISPOSING OF THE CRIMINAL PETITION.

9
24/2/23
HW