

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

Criminal Petition No.8697 of 2017

Between:

1. Mekala Durga Reddy, S/o. Ch.Lachi Reddy, aged 50 years, Occ Business, R/o. Street No.4-56, Habsiguda, Hyderabad.
2. B.Srikanth, S/o. B.Shankar, aged 30 years, Occ Business, R/o. Bharat Nagar Colony, Uppal, Hyderabad.
3. Ch. Venkat Reddy,, S/o. Chandra Reddy, aged 47 years, Occ Business, R/o. 21-33, Saraswathi Colony, Uppal, Hyderabad.
4. Rakesh Reddy, S/o. Yadi Reddy, aged 40 years, Occ Business, R/o. Laxmana Reddy Colony, Uppal, Hyderabad.
5. J.Narender Reddy, S/o. Papi Reddy, aged 55 years, Occ Business, R/o. Maruthi Nagar, Chaitanyapuri, Hyderabad.
6. R.Venkat Reddy, S/o. R.Buchi Reddy, aged 45 years, Occ Business, R/o. Street No.8, Habsiguda, Hyderabad.

...Petitioners/Accused Nos.1, 3 to 7

AND

1. The State of Telangana, rep by its Public Prosecutor, High Court of Judicature at Hyderabad.
2. Gunji Sambaiah, S/o. Narsimha, aged 35 years, Occ: Business, R/o. H.No.9-6, Ghatkesar Village and Mandal, Ranga Reddy District.

...Respondents/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 record relating to Cr.No.433/2017 on the file of Police Station, Ghatkesar, Ranga Reddy District, T.S., and quash the proceedings therein.

I.A. NO: 1 OF 2017(CRLPMP. NO: 9324 OF 2017)

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 stay all further proceedings including arrest of the petitioner/accused-1, 3 to 7 in Cr.No.433/2017 on the file of Police Station Ghatkesar, Ranga Reddy District, T.S., pending disposal of the above criminal petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.A.K.Mukheed, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and of the Respondent No.2 not appearing in person or through his counsel.

The Court made the following: **ORDER**

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.8697 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners/A1, A3 to A7 to quash the proceedings in FIR No.433/2017 on the file of Ghatkesar Police Station, Ranga Reddy District. The offences alleged against the petitioners are under Sections 420 and 406 r/w.34 of the Indian Penal Code.

2. As seen from the allegations in the complaint, the defacto complainant stated that the petitioners who are responsible for land regularization. It was promised that any construction that was made, they would come in aid and help. However, part of the constructed property was demolished by the Gram Panchayat.

3. *Prima facie* neither the ingredients of Section 420 or 406 are made out, since having knowledge about the status of the land, land was purchased.

4. In the event of the Gram Panchayat personnel taking action, these petitioners cannot be held responsible. The said aspect shall be looked into during investigation and the same be concluded

within a period of two months. Since transactions are purely civil in nature, petitioners shall not be arrested.

5. Accordingly, Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

**SD/- MOHD.ISMAIL
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The XIII Metropolitan Magistrate, Cyberabad at L.B. Nagar.
2. The Station House Officer, Ghatkeshwar Police Station, Rachakonda.
3. One CC to Sri M.A.K.Mukheed, Advocate [OPUC]
4. One CC to the Public Prosecutor, High Court Buildings, Hyderabad. [OPUC]
5. Two CD Copies

JCK
NS

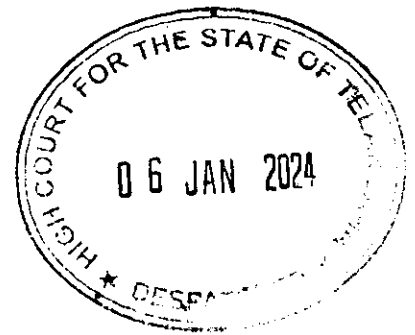


HIGH COURT

DATED:23/11/2023

ORDER

CRLP.No.8697 of 2017



Disposing of the Criminal Petition.

⑧ VLV
29/12/23