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Ambavaram Rajasekhar Rao Vs The State of A.P. and Another

Criminal P. No. 12386 of 2010

Court: Andhra Pradesh High Court

Date of Decision: July 23, 2013

Citation: (2014) 2 ALD(Cri) 96 : (2013) 2 ALD(Cri) 955

Hon'ble Judges: R. Kantha Rao, J

Bench: Single Bench

Advocate: N. Aswartha Narayana, for the Appellant; D. Kodanda Rami Reddy for the Respondent No. 2, for the Respondent

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

R. Kantha Rao, J.
Heard the learned counsel appearing for the petitioner, learned counsel for the respondent No. 2/de facto complainant

and the Additional Public Prosecutor representing the State. The second respondent/de facto complainant filed a report before the SHO, Kadapa

I Town Police Station, Kadapa District stating that her husband died on 22.02.2003 and there was a property with her which was purchased by

her husband. Due to some financial problems, she wanted to sell away the property and requested the petitioner to see that the land is sold at a

good price. It is said that the petitioner came to her after one month and informed her that there was no good price and it would be better to sell

the property after some years for a good price. Subsequently, the second respondent came to know that the price for land is good and wanted to

sell the property, went to the office of the Sub-Registrar and obtained encumbrance certificate. After going through the encumbrance certificate,

she found that her husband executed a gift deed in favour of one G. Srinivas Reddy on 13.05.2004. According to her, since her husband died in

the year 2003, he selling away the property on 13.05.2004 does not arise, therefore, it is alleged that the petitioner with the connivance of the

employees of the office of the Sub-Registrar created a gift deed by producing some other individual as the husband of the second respondent.

2. Learned counsel appearing for the petitioner submitted that absolutely there is no material to show that the petitioner created the said gift deed

by bringing some other individual representing to be the husband of the second respondent and therefore, the FIR against the petitioner is liable to

be quashed. I am not in acceptance with the contention urged by the learned counsel appearing for the petitioner. Even if the second respondent

does not have any material, this is a case for investigation by the police to find out as to who resorted impersonation and brought into existence of

the alleged deed. Therefore, I am not inclined to quash the FIR. Accordingly, the criminal petition is dismissed. The miscellaneous petitions, if any,

filed in this petition shall stand closed.