

**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

MAIN CASE No: CRLP No.4033 of 2021

**COURT PROCEEDINGS**

| Item.<br>No. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | OFFICE<br>NOTE |
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|              | 20.07.2021 | <p><b>LKJ</b></p> <p align="center"><b>I.A.No.1 of 2021</b></p> <p>This interlocutory application is filed to dispense with filing of certified copy of FIR No.350 of 2021 of Lalapet Police Station, Guntur Urban.<br/> Heard.<br/> For the reasons stated, this petition is ordered for the present.</p> <p align="right">_____<br/>LK, J</p> <p align="center"><b>Cri.P.No.4033 of 2021</b></p> <p>Admit.<br/> Learned Assistant Public Prosecutor takes notice on behalf of respondent No.1-state.<br/> Learned counsel for the petitioner is permitted to take out personal notice on respondent No.2 through registered post with acknowledgement due and file proof of service.<br/> Post after four weeks.</p> <p align="right">_____<br/>LK, J</p> <p align="center"><b>I.A.No.2 of 2021</b></p> <p>The present FIR No.350 of 2021 is registered for the offences punishable under Sections 420, 406, 468, 506 of IPC and Sections 3(1)(s) of SC &amp; ST (POA) Act. It is alleged that the petitioners who are A1 to A4 have withdrawn an amount of Rs.21,59,000/- from the complainant's salary saving account without the knowledge of the complainant and on the intervention of the complainant's friends the petitioners issued four cheques for Rs.19,00,000/- for repayment of the said amounts, but the same were dishonoured with an endorsement 'funds insufficient'. It is also alleged in the complaint that the petitioners have been dragging on the issue since two years without paying the money and when the complainant along with his friends questioned him about the same, the petitioners threatened him with dire consequences in public place and abused him by touching his caste name.<br/> Heard both sides.<br/> Learned counsel for the petitioners submits that the petitioners are falsely implicated in the crime and it is impossible to draw the amounts from the complainant's account without his knowledge. He submits that there are financial transactions between the families of A1 and the complainant and several amounts were taken on different dates. He submits that the transaction is of civil in nature and hence the offences as alleged are not attracted.<br/> A perusal of the averments of the complaint, <i>prima facie</i> shows that the transaction is purely civil in nature.<br/> In view of the same, there shall be stay of all further proceedings in crime No.350 of 2021 of Lalapet Police Station, Guntur Urban, including arrest of the petitioners.</p> <p align="right"><b>LKJ</b></p> <p><b>IKN</b></p> |                |