

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

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MAIN CASE No.CRL.P. No.2647 OF 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
	12.04.2023	<u>BSB, J</u> <u>I.A. No.1 of 2023</u> Heard. Dispense with petition ordered for the present granting four weeks time to file the same. <u>BSB, J</u> <u>CRL.P. No.2647 of 2023</u> Heard the learned counsel for the Petitioners and the learned Assistant Public Prosecutor for the first respondent-State. Learned Assistant Public Prosecutor sought time till tomorrow to get instructions. Post on 13.04.2023. <u>BSB, J</u> <u>I.A. No.2 of 2023</u> This interlocutory application is filed by the petitioners to grant stay of all further proceedings including the appearance of the petitioners in F.I.R. No.160 of 2023 of Chillakallu police station, NTR District, registered on 27.03.2023 for the offence under Sections 420, 468, 471, 409 of IPC.	Contd...

	12.04.2023 (contn..)	2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for the first respondent-State. 3. The nut shall of the prosecution case is that the petitioners had an evil eye to grab the property as it worth, to collapse the <i>de facto</i> complainant financially, entered into the lease agreement on 01.07.2017 undertaking to run the company and subsequently undertook the attached quarters on lease and also obtained some signatures on blank stamp papers, and managed to see that no notice was served in the case instituted in NCLT and managing the service of notice only in the head office at Vijayawada and thereafter got appointed the liquidator and put the property for auction at less price and caused the great financial loss to the <i>de facto</i> complainant and that all is done in connivance with one another. 4. Learned counsel for the petitioners submitted that this prosecution has been launched as a counter blast of a complaint given	Contd..
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	12.04.2023 (Contn..)	against the <i>defacto</i> complainant in F.I.R. No.152 of 2023 of the Chillakallu police station, NTR District, since a great damage was done to the factory after the possession was taken after purchasing it in auction conducted by the liquidator. He further submitted that the de facto complainant was given notice in the proceedings before the NCLT is admitted in the complaint itself and yet no steps has been taken to challenge the lease entered in the year 2017 since then till now, though at many stages they had an opportunity of challenging the same. 5. He further submitted that essentially, it is a civil dispute, but only as a counter blast to the aforesaid complaint, this complaint was lodged and thus the petitioners are apprehending the arrest in this matter based on the false complaint, and that the proceedings are abuse of process of law. 6. Learned Assistant Public Prosecutor sought time till tomorrow. 7. Post on 13.04.2023. 8. In the meantime, there shall be interim stay of all further proceedings including the arrest and appearance of the	Contd..
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	12.04.2023 (contn..)	petitioner in F.I.R. No.160 of 2023 of Chillakallu police station, NTR District, till tomorrow. _____ BSB, J BV	
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