

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION NO. 1909 OF 2015

ORDER:

At the admission stage, the following order is passed.

In this petition, the police are investigating the case for the offences under Sections 147, 148, 307, 302 & 149 IPC and investigation is reported to be pending.

Learned counsel for petitioner/A-12 sought for quashment of proceedings mainly on the ground that A. Koteswara Rao referred to in FIR and statement of witnesses, is S/o Avula Subbarao (A1) and not A12, who bears the same name as Koteswara Rao, and as such the proceedings against A-12 may be quashed.

Whether A. Koteswara Rao, who is said to have participated in the offence is the son of A1 or whether both Koteswara Raos have participated in the offence or not has to be decided only after the investigation is concluded. Since the investigation is pending, the proceedings cannot be quashed against petitioner/A-12 on the aforementioned submission of learned counsel for petitioner/A-12.

Accordingly, the Criminal Petition is dismissed.

As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 23.03.2015

KA