

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

CRIMINAL PETITION No. 8451 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.584 of 2014 on the file of the Additional Judicial Magistrate of First Class, Bhongir, Nalgonda District. A charge sheet came to be filed against the petitioners herein and other accused for the offences punishable under Sections 452, 323, 506 r/w Section 34 IPC.

Learned counsel for the petitioners/A.3 to A.5 submits that the 2nd respondent has initiated the criminal proceedings with a *mala fide* intention, since there are disputes between him and the petitioners and the allegations made in the complaint do not constitute the offences alleged.

On the other hand, the learned Public Prosecutor states that specific allegations are made against the petitioners in the complaint and the truth or otherwise of the allegations made against the petitioners has to be gone into at the time of trial and therefore it is not a fit stage to quash the proceedings in C.C.No.584 of 2014.

A perusal of the charge sheet goes to show that the 1st respondent is a post master and on 27.07.2014 when he was disbursing amounts to the concerned persons under Upadhihami scheme at his home, all the accused trespassed into his house and manhandled him, his wife and his younger brother keeping the previous grudge in mind and abused them in filthy language apart from threatening them with dire consequences. There is no legal basis for quashing the proceedings in C.C.No.584 of 2014, when specific allegations are made against the petitioners. As contended by the learned Public Prosecutor, the truth or otherwise of the allegations made against the petitioner cannot be gone into at this stage and the same can be decided at the time of trial. In view of the same, I see no merit in the criminal petition and the same is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed. Consequently, miscellaneous petitions, if any, pending in the criminal petition shall stand dismissed.

A. RAJASHEKER REDDY, J.

7th October, 2015

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