

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8666 OF 2013

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/A.1 seeking to quash the proceedings in Crime No.177 of 2013 on the file of the P.S., Keesara, Cyberabad, registered for the offences under Sections 447, 427 read with Section 34 IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor and perused the material available on record.

Learned counsel for the petitioner submits that the petitioner has not committed any offence and that there are no specific allegations made against the petitioner herein. He further submits that even if the entire complaint is true, it does not attract any offence under Sections 447 or 427 IPC. He further submits that the case has been filed with all false allegations only with a view to harass the petitioner/accused and the complainant has conveniently converted a civil dispute into a criminal by filing the present complaint. Hence, he prays this Court to quash the criminal proceedings against the petitioner/A.1.

This Court is of the view that there are civil disputes pending between the petitioner/A.1 and the complainant. Further, even entire reading of the complaint does not constitute any offence under Sections 447 or 427 IPC and hence, it cannot be treated that the petitioner/A.1 has committed any of the offences as alleged by the prosecution, and as such, the criminal proceedings against the petitioner/A.1 in crime No.177 of 2013 on the file of the P.S., Keesara, Cyberabad, is liable to be quashed.

The Criminal Petition is allowed and the criminal proceedings against the petitioner/A.1 in crime No.177 of 2013 on the file of the P.S., Keesara, Cyberabad, is hereby quashed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

05.10.2015

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