

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.5476 OF 2015

ORDER:

This Criminal Petition is filed by the petitioners/A2 and A4 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.246 of 2013 on the file of

IV Metropolitan Magistrate, Cyberabad at Ibrahimpatnam, registered for the offence punishable under Sections 498-A and 506 I.P.C.

Heard the learned counsel for the petitioners and the learned Public Prosecutor appearing for the State and before notice to respondent No.2/*de facto* complainant and before admission.

Perused the material on record.

Undisputedly, A2 to A6 filed CrI.P.No.3061 of 2013 to quash the proceedings in crime No.51 of 2013 of Ibrahimpatnam Police Station, Ranga Reddy District, registered for the offence punishable under Sections 498-A and 506 I.P.C.

This Court, by order dated 15.04.2013 granted interim stay of investigation for a period of eight weeks, which was extended from time to time.

It is the submission of the learned counsel for the petitioners that as the police filed charge sheet, the petitioners constrained to withdraw CrI.P.No.3061 of 2013 with liberty to challenge the final report and cognizance taken by the Court, if any thereunder and the same was permitted by this Court vide order dated 23.04.2015.

It is further submission of the learned counsel for the petitioners that the police filed charge sheet against A1, A3, A5

and A6 only and came to know about the same after obtaining certified copy of the charge sheet, where the police stated that they would file separate charge sheet after completion of investigation against the petitioners herein.

It is practically the prayer is to ask for restoration of Crl.P.No.3061 of 2013, which was withdrawn earlier. As the inherent powers are mainly to sub serve the ends of justice and there is nothing from the submission by the learned Public Prosecutor that investigation kept pending sofar as petitioners/A2 and A4 and what final report filed by police is only against A1, A3, A5 and A6, without prejudice to the contest of the *de facto* complainant, the petitioners are permitted to file a fresh application rather than restoring the closed matter.

Accordingly, this criminal petition is disposed of giving liberty to the petitioners to file a fresh criminal petition.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 29-06-2015

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