

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

CRIMINAL PETITION No. 9379 of 2010

Between:

Arepally @ Alkapalli Rajesh S/o Mallesh and one another
..... PETITIONERS-A1 & A2

AND

1.State of AP, represented by
Public Prosecutor, High Court, Hyderabad and one another
.....RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 07.08.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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| 1. | Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. | Whether the copies of judgment may be
marked to Law Reporters/Journals | Yes/No |
| 2. | Whether Their Ladyship/Lordship wishes
to see the fair copy of the Judgment? | Yes/No |

HON'BLE SRI JUSTICE M.S.K. JAISWAL
CRIMINAL PETITION NO. 9379 OF 2010

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ORDER:

This is a petition filed by petitioners/A1 & A2 seeking to quash the proceedings against them in Crime No. 66 of 2010 of Bellampally II Town Police Station, Adilabad District for the offences punishable under Section 376 of IPC read with Section 3(1)(x) of SC & ST (POA) Act, 1989.

The facts in brief are that the second respondent herein filed a compliant before the police stating that she completed Intermediate and had been to Hyderabad for writing EAMCET Examination and she developed acquaintance with the first petitioner in the year 2008 and they loved each other and developed physical contacts too and the first petitioner alleged to have promised to marry second respondent provided his mother agrees for marriage and subsequently, he refused to marry her. Hence the complaint and the police on the basis of the complaint registered a case in Crime No. 66 of 2010.

Learned counsel appearing for petitioners submitted that the first petitioner did not agree to marry 2nd respondent at any point of time, nor had any physical

contacts with her. He also submitted that the 2nd respondent insisted the petitioner to marry her after he got the Government job, for which he refused to marry her and the first petitioner had neither any love affair nor had physical contact with 2nd respondent and the second respondent with a view to bring pressure on the petitioners filed a false report with baseless allegations.

In view of the *prima facie* submissions submitted by the learned Public Prosecutor, it is not a fit case, to quash the proceedings and hence, investigation shall be continued to its logical end. The Police of Bellampally II Town Police Station, Adilabad District are directed to complete the investigation expeditiously. However, the Police of Bellampally II Town Police Station, Adilabad District are directed not to arrest the petitioners/A1 & A2 till the final charge sheet is filed.

Accordingly, the Criminal Petition is dismissed.

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

M.S.K. JAISWAL, J

Date: 07.08.2015

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