

THE HON'BLE SRI JUSTICE A.V. SESA SAI

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WRIT PETITION No.30097 OF 2015
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ORDER:

In the present writ petition, filed under Article 226 of the Constitution of India, petitioner herein is seeking quashment of FIR.No.616/2015 on the file of Station House Officer, Punjagutta Police Station, Hyderabad, registered against the petitioner herein for the alleged offences under Sections 498(A), 506 IPC and Section 3(i) (X) of SC and STs Prevention of Atrocities Act.

2. 3rd respondent herein, who is the sister-in-law of the petitioner, lodged complaint with the 2nd respondent and basing on which the 2nd respondent registered subject FIR No.616/2015.

3. According to the learned counsel for the petitioner, the petitioner herein is innocent and has nothing to do with the offences alleged and she is residing at different place. It is the further submission of the learned counsel for the petitioner that the allegations made against the petitioner herein are fallacious and far from truth.

4. On the contrary, it is submitted by the learned Government Pleader that in view of the existence of *prima facie* allegations against the petitioner herein in the First Information Report, the indulgence of this court is not warranted under Article 226 of the Constitution of India.

5. It is a settled and well established proposition of law that the jurisdiction of this court under Article 226 of the Constitution of India for quashment of First Information Reports is required to be exercised very sparingly. Unless there is an element of abuse of process of law, the First Information Reports cannot be quashed. A perusal of the complaint in the instant case discloses *prima facie* allegations against the petitioner herein and in the considered opinion of this court, the same cannot be enquired into under Article 226 of the Constitution of India.

6. For the aforesaid reasons, writ petition is dismissed. Miscellaneous petitions pending consideration, if any, in the Writ Petition shall stand closed in consequence. No order as to costs.

A.V.SESHA SAI, J

16th September, 2015
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