

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

Criminal Petition No. 919 of 2011

Order:

This Criminal Petition has been filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner/accused requesting to quash the FIR in Crime No.34 of 2011 of Pet Basheerabad Police Station, Cyberabad, registered for the offences punishable under Sections 448, 353 and 506 IPC.

2. The allegations made in the complaint are that on 25.01.2011, at about 10.40 AM, the petitioner/accused went to Co-operative Bank, Dulapally Branch, where the second respondent/*de facto* complainant was working as an Attender. The petitioner/accused had presented a cheque and it appears that there was some galata and in that process the petitioner/accused is alleged to have beaten the *de facto* complainant and also the Cashier by entering into the cabin earmarked for the Cashier.

3. Learned counsel for the petitioner submits that the complaint filed by the complainant is not proper, since it is the Cashier, who was also assaulted, has to give a complaint, if necessary.

4. A perusal of the complaint clearly shows that necessary ingredients of the offences are alleged and spoken to by the *de facto* complainant. Hence, it is felt that, since there is material,

prima facie, sufficient to proceed against the petitioner/accused, the matter needs to be investigated. There are no grounds to quash the FIR at this stage and the Criminal Petition is liable to be dismissed.

5. Accordingly, the Criminal Petition is dismissed.

6. As a sequel thereto, the miscellaneous applications, if any, pending in the Criminal Petition shall stand closed.

M.S.K. JAISWAL, J.

Date: 26.06.2015

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