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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CRIMINAL PETITION No.8519 OF 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioners registered for the offences punishable under Sections 120-B, 167, 193, 196, 198, 199, 209, 211, 307, 380, 420, 447, 468, 471 and 506 IPC in FIR No.124/2012, dated 17-09-2014 on the file of SHO, PS Rajupalem, Guntur District, Andhra Pradesh.

2. Heard learned counsel for the petitioners and the learned Public Prosecutor.

3. Learned counsel for the petitioners submits only to take vengeance against the petitioners, criminal proceedings are instituted with *malafide* intention to settle personal scores in civil disputes pending between the parties and, therefore, the impugned proceedings are liable to be quashed. Learned counsel also submits that the complaint is vague and lacks any specific details connecting the petitioners with the alleged crime.

4. On the other hand, learned Public Prosecutor opposes the application contending that the culpability or otherwise of the petitioners in the alleged crime can be culled out only after conclusion of the trial.

5. A perusal of the complaint, *prima facie* certain allegations are made against the petitioners connecting them with the alleged crime. Truth or otherwise of the allegations cannot be decided by this Court in a quash petition under Section 482 Cr.P.C., as it can

only be decided during the course of trial and hence, at this stage, it cannot be said that the complaint itself is vague. Hence, I do not see any ground to quash the proceedings against the petitioners.

6. The criminal petition is, accordingly, dismissed. Since it is stated that petitioners are not arrested till today and the crime is registered in the year 2012, the petitioners shall not be arrested till final report is filed under Section 173 (8) CrPC before the Court.

At the same time, the petitioners shall co-operate with the investigating officials in connection with the case. If petitioners do not co-operate with the investigation, it is open to the Police to take steps according to law for arrest of the petitioners. Miscellaneous petitions, if any pending, shall stand closed.

A.RAJASHEKER REDDY, J

Dated: 14.10.2015
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