

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

CRIMINAL PETITION No.12972 of 2015

ORDER :

This Criminal Petition is filed by the petitioners/A.1 and A.2 under Section 482 of the Code of Criminal Procedure, 1973, seeking to quash the proceedings in Crime No.194 of 2015 of P.S. Begum Bazar, Hyderabad City, which was registered for the offences punishable under Sections 447, 353 and 283 IPC.

The allegations made in the complaint, in brief, are that while the defacto complainant, who is working as Sub-Inspector of Police, Traffic P.S., Nampally, Hyderabad, along with his staff was removing encroachments in the limits of Traffic P.S., Nampally, Hyderabad, he noticed some persons belonging to a furniture shop trespassing on the road and obstructing the free flow of traffic. When they were removing the furniture kept on the road, the petitioners herein and another person obstructed them with criminal force and prevented from performing their legitimate duties.

Learned counsel for the petitioners submits that the petitioners are no way concerned with the alleged offence and the false complaint was registered against them, that the petitioners are law abiding citizens and they are running business in furniture lawfully, and that there is no question of being any encroachment on the road.

On the other hand, the learned Additional Public Prosecutor opposed the petition.

Having perused the material available on record, at this stage, it cannot be said that there is no material to proceed with the investigation. However, the petitioners are said to be the businessmen and permanent residents of Nampally. In that view of the matter, the investigation may go on without effecting the arrest of the petitioners/A.1 and A.2.

Accordingly, the Criminal Petition is disposed of, directing the Investigating Officer, Begum Bazar Police Station, Hyderabad City, to proceed with the

investigation in Crime No.194 of 2015 expeditiously, without arresting the petitioners/A.1 and A.2.

Consequently, miscellaneous petitions if any pending in the criminal petition shall stand dismissed.

M.S.K.JAISWAL,J

7th December, 2015

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