

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

Criminal Petition No.599 of 2015

ORDER:

Heard learned counsel for petitioner, learned counsel for 2nd respondent and learned Public Prosecutor.

2) This Criminal Petition is filed under Section 482 Cr.P.C by petitioners/ A.1 to A.5 seeking to quash the proceedings in FIR No.2 of 2015 of Ponnur Rural Police Station, Guntur District. The allegations in the FIR are that on 01.01.2015 at about 3:00 pm, when the *defacto* complainant was proceeding on a Hero Honda Motorcycle to Doppalapudi High School, then all the accused precipitously came across and attacked with deadly weapons and caused grievous injuries with axe and rods etc., with an intention to kill him.

3) Denying the allegations and seeking for quashment of the proceedings, learned counsel for petitioners would submit that in respect of the same allegations, the accused party members also gave two complaints which were registered as FIR Nos.7 of 2015 and 8 of 2015 and they are also pending against the present *defacto* complainant and some others and in view of it, the present crime allegations are false and they are intended to implicate the petitioners/accused.

4) As can be seen from the FIR allegations in Crime No.2 of 2015, there are some specific overt-acts attributed against the petitioners/accused. Investigation is reported to be pending. In

these circumstances, merely because the petitioners/ party members also lodged two complaints against the *defacto* complainant and others in respect of the same incident, that cannot be a ground to quash the proceedings. Therefore, it is not a fit case to quash the proceedings. The investigation shall continue to its logical end. Police are directed to complete the investigation at the earliest.

5) In the result, this Criminal Petition is accordingly dismissed.

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

U. DURGA PRASAD RAO, J

Date: 16.02.2015

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