

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

Criminal Petition No.4353 of 2015

ORDER:-

This criminal petition is filed under Section 482 Cr.P.C., to quash the proceedings in Cr.No.683 of 2014 of Bhavanipuram P.S., Vijayawada, against the petitioners/accused No1 to 4.

Heard learned Counsel appearing for the petitioner/accused and learned Additional Public Prosecutor representing the State.

Basing on the complaint of the 2nd respondent/complainant, the police registered a case against the petitioners/A.1 to A.4 for the offences punishable under Sections 420, 423, 506, 120(B) r/w 34 IPC.

Learned Counsel appearing for the petitioners/A.1 to A.4 submits that petitioner No.2/A.2 filed a suit against the *de facto* complainant in O.S.No.1333/2014 on the file of Senior Civil Judge, Vijayawada, is pending between the parties, and to harass the petitioners, the *de facto* complainant with his influence filed this case.

The allegations in the complainant, *prima facie*, reveal the commission of alleged offences by the petitioners. This is a matter which requires investigation by the police and there are no valid grounds to quash the First Information Report.

In view of the facts and circumstances of the case and as requested by the learned Counsel for the petitioners, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioners/accused No.1 to 4 in Cr.No.683 of 2014 of Bhavanipura P.S., Vijaywada.

Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

M.S.K.Jaiswal, J

11th June, 2015

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