

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.3755 of 2015

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/accused Nos.1 to 3 to quash the FIR in Cr.No.62 of 2015 on the file of Mulugu Police Station, Warangal District.

2. Heard the learned counsel for the petitioners 1 to 3 -A.1 to A.3 of Cr.No.62 of 2015 on the report of the second respondent-complainant herein and also the first respondent herein-the State representing through the Public Prosecutor before ordering any notice to the second respondent/complainant before admission and perused the material on record.

3. There is nothing to show that the *de facto* complainant herein earlier filed any report or private complaint case and even to say that earlier Cr.No.49 of 2012 was registered on the report of one Ravi against the accused persons herein and others, it is not even shown the date of occurrence mentioned therein is co-related to the date of occurrence directly to say for the self-same occurrence a second complaint is not maintainable even then the remedy is of the Investigating Officer to forward the report registered as crime to the other crime pending if any, to treat the same with value of a statement during investigation under Section 161 Cr.P.C. and nothing more to say on that principle for not those facts in relation to it on the hand. Having regard to the above for material falls short to admit thereby while disposing of, liberty is given to the petitioners to submit any material in favour of accused in writing to the Investigating Officer concerned to verify the same and consider the same as part of investigation of the present crime pending. Subject to that and without prejudice to other rights of the accused in the event of police filing final report to impugne the same the petition is disposed of.

4. Consequently, miscellaneous petitions, if any, pending in this petition, shall stand disposed of.

Dr. B.SIVA SANKARA RAO J,

Date:2nd June, 2015

PNV