

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings against the petitioner/A2 in Crime No.285 of 2016 on the file of Station House Officer, Gajuwaka Police Station, registered for the offences punishable under Sections 392, 354(b) and 506 IPC.

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

3. The petitioner is A2 and the second respondent is *de facto* complainant in Crime No.285 of 2016. As per the allegations made in the complaint, on 10.6.2016 the petitioner along with A1 has made an attempt to outrage the modesty of the second respondent. It is further alleged that the petitioner threatened her with dire consequences. Whether the petitioner has committed the alleged offences or not will come to light during the course of investigation only.

4. It is a settled principle of law that the Court has to take into consideration the allegations made in the complaint while exercising the inherent power under Section 482 Cr.P.C., in order to quash the proceedings. The allegations made in the complaint are *prima facie* sufficient to investigate into the matter.

5. Having regard to the facts and circumstances of the case and also the principle enunciated in **R.P.Kapoor v. State of Punjab**^[1], **State of Haryana v. Bhajan Lal**^[2], **V.Y.Jose V State of Gurajat**^[3] and **Teeja Devi v. State of Rajasthan**^[4], I am of the considered view that this is not a fit case to quash the criminal proceedings at the threshold.

6. The learned counsel for the petitioner submitted that A1 filed CrI.P.No.9408 of 2016 and this court disposed of the same on 29.6.2016 directing the Station House Officer, Gajuwaka Police Station and similar relief may be granted to the petitioner. Taking into consideration the facts and circumstances of the case and the order of this court dated 29.6.2016 in CrI.P.No.9408 of 2016, the Station House

Officer, Gajuwaka Police Station, is hereby directed not to arrest the petitioner-A2 till completion of investigation in Crime No.285 of 2016.

7. With the above direction, criminal petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T. SUNIL CHOWDARY, J

July 01, 2016

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[\[1\]](#) AIR 1960 SC 866

[\[2\]](#) AIR 1992 SC 604

[\[3\]](#) (2009) 3 SCC 78

[\[4\]](#) (2014) 15 SCC 221