

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

CRIMINAL PETITION No.8609 of 2016

ORDER:

This petition under Section 482 Cr.P.C. is filed by the petitioners/A.1 to A.3 seeking to quash the proceedings in Cr.No.140 of 2016 of Chebrole Police Station, registered for the offences punishable under Sections 354 (b), 506, 509 r/w.34 IPC against them.

2. Heard and perused the material on record.
3. It is alleged in the complaint that due to disputes with regard to fish tank, all the accused trespassed into the house of the de facto complainant on 09.06.2016 at 12.00 noon tried to outrage her modesty by beating her with hands and legs and abusing her in filthy language.
4. It is the case of the petitioners that in respect of the property in question, the petitioners filed civil suits and therefore, the 2nd respondent filed a false complaint against the petitioners.
5. Truth or otherwise of the allegations and the counter- allegations is to be ascertained by the investigating agency and therefore, this Court is not inclined to interfere with the proceedings in the above crime.
6. At this stage, learned counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the police concerned.
7. In view of the above submission, the first respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the

petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

8. Accordingly, the Criminal Petition is disposed of.

9. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

Date: 21.06.2016
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