

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4087 OF 2016

ORDER:

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This petition is filed by the petitioner-de facto complainant under Section 482 Cr.P.C. seeking to quash the investigation in Crime No.694 of 2015 on the file of the Saifabad Police Station, Hyderabad.

Heard and perused the material available on record.

It is the case of the petitioner that since the police had not taken any action on the complaint lodged by the petitioner, he filed a private complaint and the same was referred to the respondent-police under Section 156(3) Cr.P.C. and on such reference, the police registered a case in Crime No.682 of 2015 for the offence punishable under Sections 120-B, 109, 307, 341, 342, 384, 385, 386, 387 and 506 r/w 34 IPC. Subsequently, the respondent-police after obtaining permission of the Court registered second FIR for the same incident vide Crime No.694 of 2015 for the offence punishable under Section 506 IPC.

Since the respondent has already registered Crime No.682 of 2015, on the same set of facts another FIR is not maintainable.

Considering the facts and circumstances of the case, this Court is of the view that instead of quashing Crime No.694 of 2015, it is just and proper to direct the respondent-police to investigate both the crimes together and file one final report.

Accordingly, the Criminal Petition is disposed of directing the respondent-police to investigate both the crimes together and file one final report. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 28.3.2016

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DATED 28.3.2016

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