

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.12086 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioners/accused Nos.1 to 5 in Crime No.185 of 2016 of Karankote Police Station, registered for the offences punishable under Sections 324 read with 34 IPC and Sections 3(1)(s) and 3(1)(r)(s) (za) of the SC ST (POA) Act, 2015.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioners/accused Nos.1 to 5 are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners/accused Nos.1 to 5.

However, in view of submissions of the learned counsel for petitioners that petitioners/accused Nos.1 to 5 are apprehending of their arrest in view of the pendency of the above crime, the police concerned are directed to complete the investigation into the crime without arresting the petitioners/accused Nos.1 to 5 and file the final report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to petitioners/accused Nos.1 to 5 requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners/accused Nos.1 to 5 shall appear before the investigating agency and give an

undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

M.S.K.JAI SWAL,J

Date: 14.09.2016
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