

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.704 of 2016

ORDER:

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This Criminal Petition is filed by the sole accused under Section 482 of Cr.P.C. seeking to quash the proceedings in C.C.No.625 of 2015 pending on the file of III Additional Chief Metropolitan Magistrate, Gajuwaka, Visakhapatnam for the offence under Section 324 IPC.

Heard and perused the material available on record.

At the time of arguments, the learned counsel appearing for the complainant submitted that the complainant has no objection for quashing the impugned proceedings inasmuch as the alleged occurrence took place due to a sudden provocation and further informed that on the basis of the complaint given by the petitioner-accused arising out of the same occurrence, a case was registered against the complainant-second respondent herein and the same is pending in C.C.No.626 of 2015 before the same trial Court.

Learned counsel for the petitioner further informed that if the impugned proceedings are quashed by this Court, the proceedings arising out of the same occurrence pending in C.C.No.626 of 2015 can also be quashed.

Considering the above submissions of both the counsel, even though no Criminal Petition is filed challenging the proceedings in C.C.No.626 of 2015 before this Court, this Court is inclined to quash the proceedings in both the C.Cs.

In the result, the Criminal Petition is allowed and the proceedings in C.C.No.625 of 2015 as well as the proceedings in C.C.No.626 of 2015 pending on the file of III Additional Chief Metropolitan Magistrate, Gajuwaka, Visakhapatnam are hereby quashed.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

30.03.2016.

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