

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2480 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-3 in C.C.No.785 of 2014 pending on the file of Chief Metropolitan Magistrate, Nampally, Hyderabad, arising out of Crime No.102 of 2014 of Kamatipura Police Station, Hyderabad, registered for the offences punishable under Section 324 and 506 read with Section 34 IPC.

Heard the learned counsel for the petitioners/A-1 to A-3 and the learned Public Prosecutor and perused the material available on record.

Admittedly, the 1st respondent lodged a complaint against the petitioners and the police after completion of investigation filed the charge sheet before the Court and the same is pending before the Court. Whether the petitioners have committed the alleged offences or not will be adjudicated only after a due trial and the same cannot be determined at this stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners, since the case is pending from 2014 onwards, this Court is not inclined to quash the proceedings against the petitioners/A-1 to A-3 at this stage. However, it can be stated that the petitioners/accused are at liberty to file application for their discharge from the charges to be framed against them.

Considering the facts and circumstances of the case, the petitioners are directed to file an application under Section 239

Cr.P.C. seeking their discharge from the charges to be framed against them and on filing of such application, the concerned Court shall consider the same and pass appropriate orders in accordance with law.

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With the above direction, the Criminal Petition is dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 25-02-2016

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