

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION Nos.2691, 2693 AND 2696 OF 2016

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COMMON ORDER:

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The three criminal petitions are arising out of common occurrence and as such, these petitions are being disposed of by this common order.

These Criminal Petitions are filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.46 registered for the offences under Sections 353 IPC read with Section 34 IPC; crime No.44 of 2016 registered for the offences under Sections 447, 427, 506 IPC read with Section 34 IPC and crime No.45 of 2016 registered for the offences under Sections 143, 353, 341, 504, 506 IPC read with Section 34 IPC. All the crimes are registered on the file of the Hussainialam Police Station, Hyderabad City.

Heard and perused the material available on record.

Learned counsel for the petitioners submits that for the alleged occurrence on 23.02.2016 at 1.30 p.m., three complaints have been filed and the same are registered as crime Nos.46, 44 and 45 of 2016. He further submits that the petitioners also lodged a complaint and that the same is registered as crime No.41 of 2016. He further submits that for the same occurrence, there cannot be three crimes and as such, the proceedings are liable to be quashed.

This Court is of the view that as rightly pointed out by the learned counsel for the petitioners, there cannot be three F.I.R.s., for the same occurrence. But, at the same time, the same can be investigated into by the police and the investigating officer can enquire whether the complaints are different in nature or arising out of the same occurrence.

In any event, the offences alleged against the petitioners are punishable less than seven years, the police are directed to complete the investigation without arresting the petitioners and file final report, if

any, in accordance with law. The police are directed to issue notice to the petitioners for their appearance for the purpose of investigation and the petitioners are also directed to appear and cooperate with the investigating agency. The petitioners are also directed to submit an Undertaking for their future appearance for the purpose of investigation.

The Criminal Petitions are accordingly disposed of. Miscellaneous Petitions pending in these Criminal Petitions, if any, shall stand closed.

JUSTICE RAJA ELANGO

09.03.2016

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