

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.11245 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.60 of 2015 of Kaluvoy P.S, SPSR Nellore District, registered for the offences punishable under sections 341, 509 and 506 r/w.34 IPC and under Section 3(1)(x) of SCs & STs (POA) Act.

Heard the learned counsel appearing for the petitioner/A4 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made against the petitioner/A4 in the complaint. This is a matter which requires investigation by the police. It is represented by the learned counsel for the petitioner/A4 that the wall which is said to have caused obstruction of the free passage of the *de facto* complainant and others has been removed and the dispute is pacified at the intervention of elders. The truth or otherwise of the allegations can only be decided during course of investigation. I see no ground to interdict the investigation at this stage and quash the first information report.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/A4 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/A4 shall appear before the investigating agency as and when required during course of investigation.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 02.08.2016

Dsr

