

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.15362 OF 2016

ORDER:

This criminal petition, under Section 482 of Criminal Procedure Code, 1973 (for short, 'Cr.P.C'), is filed to quash the proceedings in Crime No.302 of 2016 of Nalgonda I Town Police Station, Nalgonda, registered against the petitioners for the offences punishable under Sections 448 and 506 of Indian Penal Code 1860 (for short, 'IPC').

The allegations made in the complaint dated 30.09.2016 are that on 30.09.2016 at 6.30 P.M. when the second respondent/ de-facto complainant and his wife are in the house, the petitioners herein, who hailed from Hyderabad, entered into his house, the first petitioner tried to assault the second respondent and the second petitioner tried to open his zip bag, stating that they have to prepare gold ornaments, when the second respondent and his wife made hue and cry, they ran away, leaving behind one black spectacle, they escaped by motor cycle ridden by persons with black veil. Thus, the petitioners are allegedly committed an offence punishable under Sections 448 and 506 IPC.

The allegations made in the complaint on its face value, if taken, it would constitute an offence punishable under Section 448 IPC, and at this stage, the falsity of the complaint cannot be decided while exercising jurisdiction under Section 482 Cr.P.C.

The contention of the petitioners that this case is falsely registered against the petitioners, who are news reporters,

- 2 -

cannot be accepted at this stage and it is a question of fact to be proved during trial. Hence, I find no ground to quash the proceedings in Crime No.302 of 2016 of Nalgonda I town Police Station, Nalgonda.

In the result, the criminal petition is dismissed.

Miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 28.10.2016
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