

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5846 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-1 in Crime No.190 of 2015 of II Town Police Station, Vijayawada City, Krishna District, registered for the offences punishable under Sections 498 A and 506 IPC.

Heard the learned counsel for the petitioner/A-1 and the learned Public Prosecutor and perused the material on record.

Admittedly, a private complaint was lodged by the second respondent/*de facto* complainant herein before the concerned Court and the same was referred to the police under Section 156 (3) Cr.P.C. The police registered the same as Crime No.190 of 2015 wherein specific allegations are made against them, the truth or otherwise of which can be ascertained only after due investigation into the crime by the investigating agency and the same cannot be determined at the investigation stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners, this Court is not inclined to interfere with the investigation against the petitioners/A-1 and A-2. However, in view of fact that the above crime arose out of matrimonial dispute, the Police concerned is directed to complete investigation without arresting the petitioner herein and file final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to the petitioner for the purpose of investigation and on receipt of such notice the petitioner shall

appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioner herein to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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Accordingly, the Criminal Petition is disposed of.
Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 21-04-2016

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