

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTY

Crl.P.No.15296 of 2016

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Cr.No.491 of 2016 of Pet Basheerabad Police Station, Cyberabad District, registered for the offences punishable under Sections 324 and 506 read with Section 34 IPC, against petitioners/A1 and A2.

2. The second respondent herein filed the complaint alleging that on 19.09.2016 at about 10.00 AM., himself and others went to the occupants of flat for payment of maintenance due and all the occupants have paid maintenance, but the petitioners/A1 and A2, who are the owners of Flat No.916, have threatened them with dire consequences by abusing in filthy language and attacked with iron rod, caused bleeding injury to one Pavan Reddy.

3. The allegations made in the complaint, if proved on its face value, would constitute the offences alleged against the petitioners. Since the allegations made in the complaint would constitute the offences punishable under Sections 324 and 506 read with Section 34 IPC, this Court cannot exercise its jurisdiction under Section 482 Cr.P.C. to quash the proceedings in view of the guidelines laid down by the Apex Court in **R.P.Kapur v. State of Punjab**¹ and in **State of Haryana v. Bhajan Lal**². Therefore, I find no grounds to quash the proceedings in the aforesaid crime. However, the police concerned are directed to follow the procedure as envisaged under Section

¹ AIR 1960 SC 866

² 1992 Supp(1) SCC 335

41-A Cr.P.C., and the guidelines laid down by the Apex Court in **Arnesh Kumar v. State of Bihar**³.

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTY, J

27th October, 2016

sj



³ 2014(2) ALT (Crl.) 457 (SC)