

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2141 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-4 in Crime No.57 of 2015 of Central Crime Station, Hyderabad Police Station registered for the offences punishable under Sections 307, 354, 448, 506 read with Section 34 IPC.

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

The main grievance of the petitioners is that in respect of the same offence, a case in Crime No.161 of 2014 was registered by the Chandrayanagutta Police for the offences punishable under Section 160 and 323 IPC and that after completion of investigation the police filed the charge sheet being numbered as C.C.No.502 of 2014 pending on the file of Chief Metropolitan Magistrate, Nampally, Hyderabad. It is the further case of the petitioners that two cases are not maintainable for the same occurrence that occurred on 22.06.2014, and hence, the proceedings in the present case are liable to be quashed.

Having heard the learned counsel for the petitioners and on perusing of the material on record, it is evident from the record that the present crime was registered for the alleged offences on a reference of private complaint being made by the learned XII Additional Chief Metropolitan Magistrate, Hyderabad under Section 156 (3) Cr.P.C., which is a pre-cognizance stage. It is also evident that in respect of the same offence, a case in case in Crime No.161 of 2014 of Chandrayanagutta Police Station, was

registered and the same was numbered as C.C.No.502 of 2014 pending on the file of Chief Metropolitan Magistrate, Nampally, Hyderabad. It is stated that the present case is under investigation.

Having regard to the facts and circumstances of the case and in view of the submissions made by the learned counsel for the petitioners, this Court is of the view that the criminal petition can be disposed of with the following direction:

- 1) That the Central Crime Station, Hyderabad Police Station is directed to take into account the fact of filing of C.C.No.502 of 2014 pending on the file of Chief Metropolitan Magistrate, Nampally, Hyderabad in respect of the same offence and complete the investigation and file final report, if any, before the concerned Court.

As a sequel thereto, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 08-03-2016

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