

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39930 of 2016

ORDER:

This writ petition is filed by petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in F.I.R. No.150 of 2016 on the file of Kammaripally Police Station, Kammaripally, Nizamabad District, whereby the petitioner was arrayed as accused for the offence under Sections 417, 420 read with Section 3(1)(i)(xi) of S.C. & S.T. Amendment Act, 2015.

The main contention raised by the learned counsel for the petitioner is that the entire reading of the complaint does not disclose any of the ingredients of the above said sections and further, the petitioner and the de facto-complainant – respondent No.5 herein also entered into agreement to settle the issue amicably and he has also produced document executed by the petitioner as well as the Respondent No.5 herein.

This Court perused the records and heard the arguments.

The complaint lodged by the respondent No.5 runs as follows :

“To

14-10-2016

The S.I.,
Kamarpalli.

Sir,

I, Mekala Revathi, D/o. Mekala Poshanna, aged 23 yrs., Caste : SC-Mala, Occupation : Student (M-Pharmacy), R/o Konasamundhar Village, Kammarpalli Mandal submit that one Satla Anil, S/o Chandram, aged 24 years, Caste : Washerman, Occupation : visiting abroad, r/o. Manal

village was in love with me for the past 6 years and told that he will marry me. Now, he is saying that he will not marry me and he will marry his niece as told by his parents and also said that to be on my own way. Hence, I request you to take appropriate action against the person who was in love with me for the past 6 years and who made me believe that he will marry me and for deceiving me and to do justice to me.

Yours faithfully,
Sd/- Mekala Revathi,
D/o Poshanna,
Aged 23 years, Caste (SC), Mala,
8978242745,
Occ : Student,
R/o Konasamundhar.”

Even without there being an agreement for settlement of the case between the parties, the allegations made in the complaint do not disclose any of the offences for which the accused is charged.

Considering the said facts and also the fact that they settled the issue out of Court, the proceedings against the petitioner in F.I.R.No.150 of 2016 on the file of Kammaripally Police Station, Kammaripally, Nizamabad District are hereby quashed.

The Writ Petition is accordingly allowed. There shall be no order as to costs.

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

RAJA ELANGO, J

18.11.2016.
skmr