

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6892 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioner/ A1, seeking to quash the proceedings in Crime No.58 of 2017 on the file of Hindupur I Town Police Station, Ananthapur District, registered for the offence punishable under Section 188 I.P.C.

Heard learned counsel for the petitioner/ A1 and learned Public Prosecutor appearing for the State, before ordering notice to respondent No.2/ de facto complainant and perused the report registered as F.I.R. and the grounds urged in the Criminal Petition.

Prima facie, there is a bar under Section 195 Cr.P.C. for registering the offence under Section 188 I.P.C. Hence, the F.I.R. is quashed not only against the petitioner/ A1, but also, against the other accused, if any, without prejudice to the right of the 2nd respondent/ de facto complainant, if at all to file a private complaint as contemplated by Section 195 Cr.P.C.

Accordingly, the Criminal Petition is allowed.

Miscellaneous petitions pending if any, shall stand closed.

Date: 08-08-2017

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Dr. B. SIVA SANKARA RAO, J