

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.497 of 2017

ORDER :

The present petition is filed to quash the proceedings in C.C.No.246 of 2016 on the file of the V-Additional Junior Civil Judge, Guntur, by exercising the power under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.').

2. The petitioners herein are arraigned as A.2 to A.6 in the aforesaid calendar case alleging that they have committed the offence punishable under Section 498-A IPC.

3. Heard Sri G.Umapathi Sastry, learned counsel for the petitioners and learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. The only submission made by the learned counsel for the petitioners is that no overt acts have been attributed to the petitioners herein and it is a false case foisted against the petitioners, and therefore, the proceedings in the calendar case may be quashed.

5. On perusal, the contents in the charge sheet would clearly show that the overt acts have been attributed against the petitioners and, therefore, the submission of the learned counsel at this stage would not merit to exercise the extraordinary power of quashing the calendar case proceedings under Section 482 C.P.C.. So far as false implication or foisting a false case is concerned, the same can be gone in to during trial, but not at this stage to give any suspicion against the 2nd respondent to throw away her complaint.

6. Therefore, the criminal petition is dismissed.
7. Miscellaneous petitions pending, if any, shall stand dismissed.

A. SHANKAR NARAYANA, J

25th January 2017.

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