

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1193 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the F.I.R in Crime No.412 of 2016 on the file of Kancharapalem Police Station, Visakhapatnam and for an interim direction to the police not to arrest the petitioners.

2. Heard learned counsel for the petitioners and the learned Public Prosecutor (A.P.) appearing for respondent No.1 and with their consent, this criminal petition is disposed of at the stage of admission.

3. Learned counsel for the petitioners, at the hearing, restricts himself to the prayer of not to arrest the petitioners.

4. A perusal of the complaint filed by the *de facto* complainant shows that the incidents, which are alleged against the accused, started from the year 2013 onwards and the last incident was on 02.12.2016 and the complaint was given on 08.12.2016. Hence, unless the investigation is done, it cannot be said that the complaint is totally baseless. However, the prayer of the learned counsel for the petitioners for a direction not to arrest the petitioners can be accepted as *prima facie* it appears that there was a long drawn dispute between the parties. Hence, this Criminal Petition is disposed of with a direction to the police not to arrest the petitioners, while dismissing the petition for quash.

5. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE T.RAJANI

Date : 27.10.2017
AMD



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