

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.993 of 2017

ORDER:

The present petition, under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioner requesting to quash the proceedings in Crime No.34 of 2017 of Bodhan Police Station, Nizamabad.

The petitioner in the aforesaid crime, alleged to have committed an offence punishable under Sections 406 and 420 of the Indian Penal Code (IPC).

Heard Sri A.M.Qureshi, learned counsel for the petitioner and the learned Additional Public Prosecutor for the State of Telangana on behalf of 1st respondent.

Learned counsel for the petitioner would submit that the petitioner performed duties of Purohit and he is not concerned with the allegations leveled by the 2nd respondent who is the defacto complainant and therefore, cannot be attributed that the petitioner concealed the 1st marriage of one Badar Begum and Ayesha Begum to get the financial benefit from 'Shadi Mubarak Scheme' sponsored by the State Government and, therefore, sought for quashing of the proceedings in the present crime.

Learned Public Prosecutor would submit that the petitioner cannot deny knowledge of such certificate being issued by the petitioner only with a view to see that that benefit of the scheme is being enjoyed though, disentitled to have such benefit.

The stage at which the quashing is sought is crime stage and the investigation has to go on to unravel the truth. It is not a case where it can be said that there is no *prima facie* allegations, making out the commission of a cognizable offence alleged against the petitioner. In such an event, certainly, the proceedings in the present crime cannot be quashed.

Accordingly, the Criminal Petition is dismissed at the stage of admission itself. It is needless to mention that the Investigating Officer would follow the procedure under Section 41-A of Cr.P.C.

Miscellaneous applications, if any pending in the present petition, stand closed.

JUSTICE A.SHANKAR NARAYANA

06.02.2017

Note:
Issue CC by tomorrow
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