

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.1248 of 2017**

**ORDER:**

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the FIR No.241 of 2016, dated 27.10.2016, on the file of the 3<sup>rd</sup> respondent, Burgumpahad Police Station.

Heard and perused the material available on record.

The 5<sup>th</sup> respondent, who is working as Burgampahad Tahsildar Office as a Grade-I Officer, lodged the present complaint against the petitioner alleging that on 26.10.2016 at about 6.00 p.m., when the 5<sup>th</sup> respondent is coming back to home, near Morampallibanjar Village Centre, when some persons rounded there, she enquired about the same and found that the petitioner made injury with axe on the 4<sup>th</sup> respondent, who is his wife, at about 2.30 p.m. and immediately she was shifted to Government Hospital, Badrachalam and that it is a family dispute. Basing on the said complaint, the 3<sup>rd</sup> respondent registered a case in FIR No.241 of 2016, dated 27.10.2016, against the petitioner, for the offence punishable under Section 307 IPC.

The grievance of the petitioner is that the 3<sup>rd</sup> respondent police is calling the petitioner to the police station and making threat of arrest.

Learned counsel for the petitioner submitted that the age of the petitioner is 76 years.

Both the petitioner and the 4<sup>th</sup> respondent appeared in person before the Court. The 4<sup>th</sup> respondent, who is the wife of the petitioner, informed the Court that no such occurrence happened on that day.

Considering the said facts and circumstances and in view of the compromise entered between the parties and taking into consideration

their age and relationship, this Court feels that it is just and proper to quash the proceedings against the petitioner herein in the above said crime.

Accordingly, the Writ Petition is allowed quashing the proceedings against the petitioner in FIR No.241 of 2016, dated 27.10.2016, on the file of the Burgampahad Police Station, Kothagudem (Khammam) District. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

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**RAJA ELANGO,J**

Date: 6<sup>th</sup> January, 2017

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