

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.421 OF 2017

ORDER:

The petitioners herein, who are arraigned as accused Nos.1 to 3 in Crime No.9 of 2017 of Bichkunda Police Station, Kamareddy District, filed the present petition requesting this Court to invoke the inherent power under Section 482 of the Code of Criminal Procedure, 1973 and to quash the FIR.

The petitioners alleged to have committed an offence punishable under Section 353 of IPC.

Heard Miss. Almas Begum Mohammed, learned counsel for the petitioners, and learned Additional Public Prosecutor appearing for the State of Telangana.

The learned counsel for the petitioners raised various aspects on factual side, mainly contending that the Inspector of Police ought to have been the complainant but not the police constable, and also the names of Gram Panchayat public servants have not been mentioned; and the false implication of the petitioners by registering the crime and sought to quash the FIR.

On perusal of the complaint, it can safely be visualized that over tactics have been attributed to the petitioners herein in obstructing the police officials assisting the Gram Panchayat officials

in removing the pan shop, which is an illegal structure. Therefore, certainly, it is not a case, where abuse of process of Court can be viewed, nor it is a case on the face of first information report can it be made out that there is no *prima facie* material to substantiate the allegations levelled by the *de facto* complainant.

Therefore, the Criminal Petition is dismissed. As a sequel thereto, Miscellaneous Petitions, if any, pending in the petition, stand closed.

January 23, 2017.
Mgr

A. SHANKAR NARAYANA, J

