

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3045 of 2017

ORDER :

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioners, who are A.1 and A.2, seeking to quash the proceedings in STC.No.1 of 2017 on the file of the I Additional Judicial First Class Magistrate, Khammam, Khammam District, for the offences punishable under Sections 294(b) and 323 of IPC.

2. Heard Sri C. Damodar Reddy, learned counsel for the petitioners, as well as the learned Assistant Public Prosecutor appearing for the 1st respondent – State and perused the material on record.

3. The record shows that the 2nd respondent herein is the victim and the petitioners are Accused Nos.1 and 2. The aforesaid STC.No.1 of 2017 came to be registered based on the report submitted by the Station House Officer, Khammam II Town Police Station, in a petty case, which was originally numbered as STC.No.697 of 2016 on the file of the I Special Judicial First Class Magistrate, Khammam, and subsequently transferred and numbered as STC.No.1 of 2017 on the application in Criminal Transfer Petition No.1058 of 2016 on the file of the Principal District and Sessions Judge, Khammam, filed by the 2nd respondent seeking to transfer STC.No.697 of 2016.

4. Learned counsel for the petitioners would submit that the petitioners and the 2nd respondent are practicing Advocates in the local Courts of Khammam District. He would further submit that there is a case in Crime No.178 of 2016 of Khammam II Town Police Station, Khammam District, registered against the 2nd respondent and her husband for the offences punishable under Sections 323, 294(b) and 506 r/w. Section 34 IPC, and as a counter blast, the present false report got filed against the petitioners.

5. *Ex-facie*, when the summary report is examined, certainly, there are prima-facie allegations against the petitioners and no further probe is needed. Therefore, it is not a case for quashment of the proceedings in STC.No.1 of 2017.

6. Accordingly, this Criminal Petition is dismissed. However, since it is a summary trial case, the learned I Additional Judicial First Class Magistrate, Khammam, is directed to dispose of STC.No.1 of 2017 within a period of three months from the date of receipt of a copy of this order.

7. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE A. SHANKAR NARAYANA

13.04.2017.
Msr

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