

HON'BLE SRI JUSTICE T. AMARNATH GOUD

CRIMINAL PETITION No.6337 of 2011

ORDER:

This criminal petition is filed seeking to quash the proceedings in C.C.No.742 of 2010 on the file of the Judicial Magistrate of First Class, Huzurnagar, registered for the alleged offences under Sections 290 and 504 of the Indian Penal Code.

The 2nd respondent/de-facto complainant filed complaint against the petitioner-Bank Manager, alleging that on 08.04.2009, the petitioner has taken the name of his caste, abused him and did not provide loan. In pursuance of the complaint made thereon, a case in Cr.No.82 of 2009 has been registered on 24.05.2009 under Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Investigation has been completed and final report has been filed stating that the allegations made in the complaint are false.

The 2nd respondent proceeded further and filed a complaint before the Judicial Magistrate of First Class, Huzurnagar and the Court below has taken cognizance in C.C.No.742 of 2010 on 07.09.2010 for the offences under Section 290 and 504 IPC against the petitioner/accused.

The ingredients under Sections 290 and 504 IPC are not fulfilled as per the complaint and the investigation disclosed in the final report.

This criminal petition is accordingly allowed, setting aside the proceedings in C.C.No.742 of 2010 on the file of the Judicial Magistrate of First Class, Huzurnagar.

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

T. AMARNATH GOUD, J

October 13, 2017
MRR

