

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

Crl.P.No.9134 of 2017

ORDER

This petition is filed under Section 482 Cr.P.C. by the petitioners/A1 to A5 to quash the proceedings in Crime No.85 of 2017 of Angara Police Station, East Godavari District, registered for the offences punishable under Sections 448, 323, 420, 384, 427 read with Section 34 IPC.

2. Heard learned counsel for the petitioners and learned Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that there are no specific allegations against the petitioners constituting the alleged offences and therefore, he prayed for quashing the proceedings against the petitioners. He also submits that a direction may be given to the police concerned to follow the procedure as contemplated under Section 41-A of Cr.P.C.

4. On the other hand, learned Public Prosecutor would submit that there are allegations against the petitioners/A1 to A5 constituting the alleged offences and the matter requires thorough investigation.

5. There is record to show that on 10.08.2017 at about 6.00 PM all the petitioners went to the house of the de-facto complainant to pay the loan amount, but they snatched away the promissory note

from the hands of the de-facto complainant, cut into pieces, put them into pocket, beat him with hands and legs and ran away.

6. Since specific allegations are made against the petitioners in the complaint, the matter requires thorough investigation by the police. Therefore, this is not a fit case to quash the First Information Report at this stage. There are monetary disputes between parties.

7. Having regard to the facts and circumstances of the case, the Station House Officer, Angara Police Station, East Godavari District, is directed to follow the procedure as contemplated under Section 41-A Cr.P.C., in Cr.No.85 of 2017 so far as petitioners/A1 to A5 are concerned.

8. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

4th October, 2017
sj

Dr. SHAMEEM AKTHER, J