

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.624 of 2017

ORDER :

The present petition is filed to quash the proceedings in Crime No.166 of 2016 of Police Station Town-V, Nizamabad, requesting to invoke the power under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.').

2. The petitioners herein, who are arraigned as A.1 and A.2, along with three more accused, who are arraigned as A.3 to A.5, alleged to have committed the offences punishable under Sections 417, 418, 420, 406 and 506 IPC.

3. The 2nd respondent filed a complaint under Section 156(3) of Cr.P.C. and the learned Magistrate concerned referred the same to the Station House Officer, Town-V Police Station, Nizamabad, and on the basis of the said complaint, aforesaid crime was registered for the offences mentioned in the above.

4. Heard Sri B.Papa Rao Goud, learned counsel for the petitioners and learned Additional Public Prosecutor for the State of Telangana.

5. During the course of arguments, the learned counsel, has drawn the attention to the order dated 30.12.2016, passed by this Court in W.P.No.46434 of 2016 filed by A.3 to A.5 in the present crime. This Court, by order dated 30.12.2016, disposed of the said writ petition directing the police concerned to complete the investigation without arresting the petitioners therein and file the final report in accordance with law and with further directions.

6. Since the concerned Investigating Officer has already been directed to complete the investigation and to file a final report, the proceedings against the petitioners, accused Nos.1 and 2, cannot be quashed as no ground exists to view that the investigation into crime would amount to abuse of process of law or can it be said that there is no *prima facie* material to investigate.

7. The present criminal petition is dismissed at the admission stage itself.

8. Miscellaneous petitions pending, if any, shall stand dismissed.

A. SHANKAR NARAYANA, J

30th January 2017.

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