

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.8082 of 2017

ORDER :

Heard learned counsel for the petitioner/ A6 of Crime No.331 of 2017 of Mancherial Police Station, registered for the offences punishable under Sections 147, 148, 448, 506, 120(b) r/w 149 I.P.C. and Sections 25(1B)(a) and 27 of the Arms Act, 1959 and the learned Public Prosecutor representing the State before ordering notice to the 2nd respondent and perused the grounds urged in the quash petition, F.I.R. and one of the so called disclosure statement of A5 and C.C. footages and the part of investigation from the progress of investigation shown by the learned Public Prosecutor referring to the Case Diary.

It is premature for this Court to go into the *elibi* stated by the petitioner/ A6 that he was at Babukhan Estate on that day and at that alleged time of the occurrence as from the Part-II Case Diary there are two to three witnesses deposed about his presence apart from the so called disclosure statement of A5 also speaks. However, as contended by the learned counsel for the petitioner there is a long pending civil dispute and the case is falsely foisted.

Having regard to the above, there is nothing to interdict the investigation, but for, pending investigation the

petitioner/ A6 shall not be arrested. However, it will not prevent the Police to secure his presence for the purpose of investigation as and when required.

Accordingly, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:06-10-2017
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