

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CRIMINAL PETITION NO.6877 OF 2011

ORDER:

The Criminal Petition is filed under Section 482 of the Criminal Procedure Code to quash the proceedings in C.C.No.607 of 2010 on the file of the Court of X Additional Chief Metropolitan Magistrate at Secunderabad, registered for the offence punishable under Section 506 of IPC.

2. The second respondent/*de facto* complainant filed a complaint on 18.01.2010 before the Police, Gopalapuram Police Station stating that on 12.01.2010 at around 4.00 pm., the petitioner came to the office of the second respondent and tortured him mentally and also caused disturbance to his duties. Basing on the said complaint, the Police, Gopalapuram, registered a case in FIR No.24 of 2010 under Section 506 of IPC against the petitioner.

3. Heard both sides.

4. Learned counsel for the petitioner contended that the requirement under Section 155 (2) of Cr.P.C. has not been complied with. He further contended that the contents of the complaint are not clear, specific and vague. In support of his contention, he placed reliance on a decision of the Supreme Court in **State of Haryana v. Ch.Bhajan Lal**¹.

5. Learned counsel for the second respondent has drawn the attention of this Court to the charge sheet, wherein Section 155 (2)

¹ AIR 1992 SC 604

of Cr.P.C. requirement has been fulfilled by upholding permission from the Court below.

6. The complaint as well as the charge sheet do not disclose the specific allegations against the petitioner to initiate steps under Section 506 of IPC. Hence, the Criminal Petition is allowed, quashing the proceedings in C.C.No.607 of 2010 on the file of the Court of X Additional Chief Metropolitan Magistrate at Secunderabad. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 06-10-2017
TJMR

T.AMARNATH GOUD, J

