

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.1350 of 2017

ORDER:

The present petition, under Section 482 of the Code of Criminal Procedure (Cr.P.C.), is filed by the petitioners/Accused Nos.1 & 2 to quash the First Information Report in Crime No.6 of 2017 of Ongole Taluq Police Station, Prakasam District.

The petitioners alleged to have committed the offences punishable under Sections 323, 354 and 506 read with 34 IPC.

Sri Rizwan Ali representing Sri N.Ravi Prasad, learned counsel for the petitioners, would submit that the offences levelled against the petitioners would not sustain and, in fact, no offences alleged to have committed by the petitioners. Learned counsel further submits that on mere ground that petitioner No.1 suppressed the earlier marriage between himself and petitioner No.2, the present complaint is lodged and, therefore, seeks to quash the proceedings in the present crime.

The material available on record at this stage is the complaint made by the *de facto* complainant. The complaint allegations would attract, irrespective of the fact whether the offence under Section 354 IPC would arise, the offences punishable under Sections 324 and 506 read with 34 IPC. Therefore, investigation requires to be proceeded with in unravelling the truth and, certainly, it is not a case where the

complaint can be viewed as vexatious or proceeding with the investigation would amount to abuse of process of law.

Hence, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous applications, if any pending in the present petition, stand closed.

JUSTICE A.SHANKAR NARAYANA

17.02.2017

v v

