

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2697 OF 2017

ORDER:

The present Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') requesting to quash the First Information Report in Crime No.14 of 2017 of Alair Police Station of Rachakonda Commissionerate, Yadadri Bhuvanagiri District, State of Telangana.

2. The petitioner herein is arraigned as sole accused in the aforesaid Crime. He alleged to have committed the offence punishable under Section 306 of Indian Penal Code, 1860 (for short 'IPC').

3. Heard Sri M. Subba Reddy, learned counsel for the petitioner and the learned Additional Public Prosecutor for the State of Telangana.

4. The learned counsel would submit that the father of *de facto* complainant - respondent No.2 lost the civil suit and even the review filed by him was also lost in the land dispute between himself and the petitioner's vendors; committing suicide by the father of *de facto* complainant is nothing to do with the petitioner and, in fact, the suicide letter said to have found in the hands of the father of the *de facto* complainant does not disclose anything against the petitioner except containing that on account of civil suit filed by the petitioner,

he committed suicide. Therefore, the learned counsel's submission is that the FIR is liable to be quashed as there are no allegations as to the petitioner abetting the commission of suicide by the father of the *de facto* complainant. The learned counsel also referred to various facts relating to the civil dispute between the petitioner's vendors and others which are unnecessary to probe into at crime stage.

5. The learned Additional Public Prosecutor would resist the request, stating that the crime is at the stage of investigation, probe is to be made as to the commission of suicide by the *de facto* complainant's father, more particularly, in the presence of a letter found in his hands.

6. Perused the Case Diary filed by the learned Additional Public Prosecutor.

7. It is contended by the learned counsel for the petitioner that in the suicide note said to have written by the father of the *de facto* complainant after the portion, that none is responsible for his death, long gap is left and then some more matter was written to the effect that since case is filed by Kattegummula Ram Reddy contending that the land belongs to him, he is committing suicide and the said K. Ram Reddy alone is responsible. Thus, this is the only allegation occurring in the said letter against the petitioner. It is no doubt true, there appears to be some gap, but, unless the investigation is completed, it is difficult to arrive at as to what exactly had taken place

as to the cause of commission of suicide by the *de facto* complainant's father.

Therefore, the Criminal Petition is dismissed, at the stage of admission itself. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

A. SHANKAR NARAYANA, J

April 25, 2017.
Mgr

