

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2594 of 2011

ORDER:

The criminal petition is filed by the petitioner seeking for quash of the proceedings in Cr.No.43 of 2011 on the file of the Raidurgam Police Station, Cyberabad, Ranga Reddy District.

2. Heard counsel for the petitioner and the learned Public Prosecutor, who takes notice for R1. The second respondent does not appear in spite of notice.

3. A perusal of the report given by the complainant does not support the contentions made by the petitioner's counsel that it is purely a civil dispute and the accused is unnecessarily roped in.

4. The contents of the complaint shows that there are specific allegations against the petitioner that he demanded Rs.2 lakhs from the complainant, to vacate the plot and later on, the petitioner again went to the plot of the complainant on 04.02.011 along with 8 others and threatened to kill him.

5. Hence, in the light of the nature of the allegations, this Court is of the opinion that it is not a fit case for quash of the proceedings, as the power under Section 482 Cr.P.C. can be exercised in very exceptional case and this is not one such case.

6. However, the request of the petitioner counsel to direct the police to follow the guidelines in ARNESH KUMAR v. STATE OF

BIHAR¹ with regard to the arrest of the petitioner can be accepted and the police are directed to follow the guidelines laid down in the aforesaid decision.

With the above observation, the criminal petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

November 14, 2017
DSK

T. RAJANI, J



¹ (2014) 8 SCC 273