

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.155 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. for quashing the F.I.R. against the petitioners-A.3 and A.4 in Crime No.43 of 2017 of Thiryani Police Station, Kumarambheem Asifabad District, registered for the offences under Section 420 I.P.C. and Section 7 of the Specified Bank Notes Act, 2017.

2. Heard the learned counsel for the petitioners-A.3 and A.4 and learned Additional Public Prosecutor, apart from perusing the material available on record.

3. Learned counsel for the petitioners-A.3 and A.4 would submit that possession of the old currency notes do not constitute an offence under Section 420 I.P.C., even all the allegations made in the report lodged with the police are taken as true, no case is made out Section 420 I.P.C.; the villagers/tribal people did not lodge any report and this case is registered by the police itself; and ultimately, prayed to quash the F.I.R. in Crime No.43 of 2017 of Thiryani Police Station, Kumarambheem Asifabad District.

4. On the other hand, learned Additional Public Prosecutor opposed to allow this Criminal Petition.

5. The material on record reveals that on 16.11.2017, in the outskirts of Moriguda, i.e., in forest area, the offence alleged to have taken place. M.Kirankumar, PC-3006 of Thiryani Police Station along with PC-1552 went to Moriguda village at the instructions of the Sub Inspector of Police and found the petitioners-A.3 and A.4 and other accused in this case, and the accused were making attempts to exchange banned

currency notes of Rs.1,000/- and Rs.500/- with the new currency notes with the people belonging to the tribal villagers in Thiryani Mandal. Banned currency notes worth Rs.1,00,000/- were found in possession of Merugu Ramakrishna, another Rs.1,00,000/- with Manthena Ramesh and Rs.8,80,000/- with Embadi Sateesh, in total, Rs.10,80,000/- worth old currency notes were found in possession of the accused. The allegation is that the accused are trying to exchange old currency notes with new currency notes with the villagers. Under these circumstances, it cannot be said that the allegations do not constitute an offence under Section 420 I.P.C. When a cognizable offence is alleged to have committed, any person who has knowledge of commission of the offence can lodge a report with the police. The victims/tribal people need not lodge a report with the police. It cannot be said that the crime cannot be investigated. The Criminal Petition is devoid of merits and it is liable to be dismissed.

6. Accordingly, this Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 19-01-2018

siva