

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.234 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, to quash the proceedings in Crime No.252 of 2017 on the file of Falaknuma Police Station, Hyderabad District, registered for the offences under Sections 448, 427, 506 of I.P.C. and Section 25(1-B) of Arms Act, 1959.

2. Heard the learned counsel for the petitioner/A.2, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/A.2 would submit that the petitioner/A.2 has a license to hold a revolver and that Section 25(1-B) of Arms Act, 1959, has no application. It is also contended that the de-facto complainant herein is accused No.2 in Crime No.247 of 2017 on the file of Falaknuma Police Station, Hyderabad District, wherein, he is being proceeded with under Sections 406, 420, 352, 506, 468, 341 of I.P.C. and that in a Criminal Petition (Criminal Petition No.11866 of 2017) filed challenging the said crime, this Court granted stay of all further proceedings in Crime No.247 of 2017 on the file of Falaknuma Police Station, Hyderabad District.

4. As per the record, there are civil and criminal disputes between the parties to the litigation. The truth or otherwise of the allegations can only be determined after investigation. Therefore, investigation has to go on. It is not appropriate to quash the proceedings. However, in view of the civil disputes between the parties to the

litigation, the interest of the petitioner/A.2 requires to be protected. Under these circumstances, the Investigating Officer concerned is directed to complete the investigation and file the Final Report, without arresting the petitioner/A.2.

5. With the above direction, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

Dr.SHAMEEM AKTHER, J

23rd February, 2018
Bvv

