

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.526 OF 2018

ORDER:

This petition is filed by the petitioners-A3 and A4 under Section 482 Cr.P.C. to quash the proceedings in Cr.No.528 of 2017 on the file of the Station House Officer, Shadnagar Police Station, Cyberabad, registered for offences punishable under Sections 448, 427, 324 r/w 34 IPC and 3 (1) (r) (s) of SCs & STs (POA) Amendment Act, 2015.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that this case is foisted as a counter-blast to the report lodged by A1, who died due to illness. He further submitted that the entire prosecution case is false and continuation of proceedings is an abuse of process of law and ultimately, prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioners in the petition.

5. In the course of submissions, it is brought to the notice of this Court that when an application was filed by the petitioners under Section 438 Cr.P.C. for grant of anticipatory bail before the Court of Session, the learned Sessions Judge, vide order, dated 03.01.2018, in CrI.M.P.No.1049 of 2017, dismissed the application. As per the record, there are specific allegations constituting offences referred supra. The truth or otherwise of the allegations can only be decided after due trial. It cannot be held that the

petitioners are innocent persons and falsely implicated in this case. It cannot be further held that continuation of proceedings would be an abuse of process of law. Therefore, the petition is devoid of merit and is liable to be dismissed.

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

DR.SHAMEEM AKTHER, J

DATED: 23-01-2018.

Hsd

