

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.688 OF 2018

ORDER:

This petition is filed by the petitioner-A1 under Section 482 Cr.P.C. to quash the proceedings in Cr.No.3 of 2018 on the file of the Station House Officer, Siricilla Police Station, Rajanna Siricilla District, registered for the offences punishable under Sections 109, 447, 341, 342, 504 and 506 r/w 34 IPC.

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

3. Learned counsel for the petitioner would submit that there are directions in the writ petition in favour of the petitioner and dis-honouring those directions, the present complaint was filed and ultimately, prayed to allow the petition.

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

5. If the direction of this Court is violated, it is for the petitioner to seek appropriate legal remedy. At this stage, learned counsel for the petitioner submits that already there is a Contempt Case pending. As per the material placed on record, there are allegations that the petitioner obstructed the erection of Cell Tower and trespassed into the premises. There are also other allegations in the complaint filed under Section 200 Cr.P.C. against the petitioner and other accused. The veracity of the allegations is required to be determined in the course of investigation. In the

circumstances of the case, the continuation of proceedings would not 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: 24-01-2018.

Hsd

