

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.1073 OF 2018

ORDER:

This petition is filed by the petitioner-accused under Section 482 Cr.P.C. to quash the proceedings in Cr.No.122 of 2017 on the file of the Station House Officer, II Town Police Station, Srikalahasthi, Tirupati Urban District, which was registered for the offences punishable under Sections 506 IPC and 3 (1) (r) (s) of SCs & STs (POA) Amendment Act, 2015.

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 the petitioner did not abuse or threaten the de facto complainant as alleged in the F.I.R. The petitioner intends to settle the dispute between the parties.

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

5. As per the record, there is a dispute between the brother's son of the petitioner and the de facto complainant's family. It is also alleged that the petitioner threatened the de facto complainant to compromise the subject matter of the dispute with his brother's son on 13.10.2017 at 11.30 hours, when the de facto complainant was in the hospital. It is further alleged that the petitioner was in a drunken state. It is also alleged that the petitioner got threatened the de facto complainant by some other persons through cell phone.

There is a civil dispute between the parties with regard to some land.

6. Under these circumstances, the S.H.O. concerned is directed to abide by the conditions imposed in **ARNESH KUMAR V. STATE OF BIHAR** ¹ and follow the provisions under Section 41-A Cr.P.C.

7. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DATED: 01-02-2018.
Hsd

DR.SHAMEEM AKTHER, J



¹ (2014) 8 SCC 273