

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1275 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioner-A.3 seeking to quash the proceedings in Crime No.154 of 2017 of Mirchowk police station, Hyderabad registered for the offences punishable under Sections 354, 341, 323, 506, 509 read with IPC.

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

3. Learned counsel for the petitioner would submit that the petitioner-A.3 is not responsible for any of the offences alleged and that his name is not figured in the First Information Report, and hence, continuation of the impugned proceedings against him is nothing but abuse of process of Court, and ultimately, prayed to quash the impugned proceedings against him.

4. On the other hand, the learned Assistant Public Prosecutor opposed the grant of relief sought by the petitioner.

5. As per the material placed before this Court, name of the petitioner-A.3 is not figured in the First Information Report. It is alleged in the remand case diary that A.1 along with his two sons i.e. petitioner-A.3 and another, beat the defacto complainant and others and abused them. Having regard to the nature of allegations, it is not a fit case to quash the proceedings. However, having regard to the circumstances, protection can be given to the

petitioners from arrest. Therefore, the investigating officer shall proceed with the investigation, complete it and file charge sheet or final report, as the case may be, without arresting the petitioner-A.3.

6. With the above direction, the Criminal Petition is, accordingly, disposed of.

Miscellaneous Petitions pending, if any, in the Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

21.02.2018
DRK



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21.2.2018

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