

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.525 of 2013

ORDER:

This criminal petition is filed for quash of the proceedings in S.C.No.340 of 2010, against the petitioners, who are A5 and A6, on the file of the Assistant Sessions Judge, Narsapur, West Godavari District. The offences alleged are under Sections 148, 307 read with 149 of the Indian Penal Code.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent in spite of service of notice.

3. The counsel for the petitioners submits that this Court, by virtue of order dated 04.10.2012 in CRLP.No.11747 of 2010 and order dated 16.12.2014 in CRLP.No.9560 of 2012, quashed the proceedings against A14 and A7 respectively. The counsel for the petitioners submits that the petitioners herein stand on the same footing as that of the petitioners in the above petitions. He draws the attention of the Court to the contents of the charge sheet where only the names of A1 to A4 were mentioned as the persons, who attacked the victims and it does not spell that there are other persons along with A1 to A4.

4. Considering the above, this Court opines that continuation of further proceedings against the petitioners would only be an abuse of process of law.

In the light of the above, the criminal petition is allowed and the further proceedings in S.C.No.340 of 2010, against the petitioners,

who are A5 and A6, on the file of the Assistant Sessions Judge, Narsapur, West Godavari District, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

August 24, 2018
DSK

T. RAJANI, J

