

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1899 OF 2018

ORDER:

Heard learned counsel for the petitioner/accused, learned Additional Public Prosecutor for respondent State and perused the record.

This petition is filed under Section 482 Cr.P.C. to quash the F.I.R. in Crime No.38 of 2018 of Mancherial Town, Mancherial District registered for the offence under Section 107 Cr.P.C.

Provisions of Section 107 Cr.P.C. are required to be invoked by the Executive Magistrate when there is a breach of peace or disturbance within his local jurisdiction. No F.I.R. is required to be issued for breach of peace or disturbance. The issue of instant F.I.R. is erroneous and against the cannons of law. Therefore, the same is liable to be quashed.

In the result, the Criminal Petition is allowed and the proceedings in F.I.R. in Crime No.38 of 2018 of Mancherial Town, Mancherial District are hereby quashed.

The Miscellaneous Petitions, if any, pending shall stand closed.

Dr. SHAMEEM AKTHER, J

19th February, 2018.
ssp