

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.2930 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner to quash the proceedings in Crime No.934 of 2017 of P.S. Banjara Hills, Hyderabad, registered for the offences punishable under Section 506 of the Indian Penal Code and Section 3(1)(r) of the SCs and STs (Prevention of Atrocities) Act ("the Act", for brevity).

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

Learned counsel for the petitioner submits that there is no public view, as per report given to police and as such the offence under Section 3(1)(r) of the Act is not attracted. Further, it is alleged that the incident has taken place on 20.04.2017, the criminal case was registered on 10.10.2017. The petitioner is implicated in this case due to political pressure. Even on the face of the report and its contents, no offence is made out under Section 3(1)(r) of the Act.

Learned Assistant Public Prosecutor opposed the petition.

As seen from the material placed on record, there are allegations against this petitioner stating that he insulted the second respondent in the office chambers. The allegation whether the abuses were made in public view and whether the so called abuses constitute offence under Section 3(1)(r) of the Act do require examination. In view of the gravity and nature of the allegations, it is not appropriate to quash the proceedings.

However, the investigating officer is directed to complete the investigation and file the final report without arresting the petitioner.

With the above direction, the Criminal Petition is disposed of.
Miscellaneous petitions, if any, pending shall stand closed.

(DR. SHAMEEM AKTHER, J)

13th March 2018
RRB

