

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.10655 OF 2011

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-2 to A-7 seeking to quash the proceedings in Crime No.89 of 2011 of Chatrai Police Station, Krishna District, registered for the offences punishable under Sections 323, 506, 498-A, 420 and 406 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the 1st respondent – State. None appears for the 2nd respondent – *de-facto* complainant, in spite of service of notice.

3. The allegations in the complaint are specific against all the accused; though the names of the accused were not mentioned, it is mentioned that after the panchayat was held, and that after an agreement was arrived at, the accused failed to fulfill the agreement and, on 01.07.2011, all the accused along with four un-known persons came to the house of the complainant's parents and trespassed into the house and demanded the complainant to sign on divorce papers; they also beat the complainant, indiscriminately, when she refused to sign on the divorce papers.

4. Hence, these being the allegations, it cannot be said that the lapse of not mentioning the names of the petitioners would affect the case and would entitle the petitioners for quashment of all proceedings against them.

5. Hence, in view of the nature of allegations, this Court opines that this is not a fit case to quash the proceedings against the petitioners. Hence, the Criminal Petition is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed. However, considering the request of learned counsel for the petitioners, the Police concerned are directed not to arrest the petitioners without following Section 41-A of Cr.P.C..

7. As a sequel, miscellaneous petitions if any, pending in this Petition shall stand dismissed.

T. RAJANI, J

Date: 25.10.2018.
Dsh



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