

HON' BLE DR JUSTICE SHAMEEM AKTHER

CrI.P. No. 3039 of 2018

ORDER:-

This Criminal Petition is filed under Section 482 Cr.P.C. to quash F.I.R.No. 166 of 2017 registered on the file of the Station House Officer, Allagadda Town Police Station, Kurnool District.

Heard the learned counsel for the petitioners – A3 and A4, learned Assistant Public Prosecutor appearing on behalf of the 1st respondent - State and perused the record.

The learned counsel for the petitioners has submitted that no alleged offence took place against the petitioners and in order to coerce the petitioners, who are the parents of A1, this petition is filed and ultimately prays to quash the proceedings in the above crime registered for the offences under Sections 323 and 506 read with 34 IPC, 3(1)(r), 3(1)(s), 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The learned Assistant Public Prosecutor has opposed the same.

As per the material placed on record, Accused No.1 is said to have borrowed an amount of Rs.2,80,000/- from the 2nd respondent – *de facto* complainant and did not repay the same and a cheque was issued by A1 in favour of the *de facto*

complaint for a sum of Rs.2,80,000/-. The same was dishonoured. Thereafter, a case was filed against the accused for the offences punishable under Section 138 of Negotiable Instruments Act and Section 420 IPC. It is alleged that the petitioners have gone to the house of the *de facto* complainant and abused him in the name of caste and they indulged in some criminal activities. The truth or otherwise of the allegations made in the complaint is yet to be examined. The investigation has to go on. In view of the nature of the allegations levelled against these petitioners, their interest is required to be protected.

Under these circumstances, the investigating officer shall complete the investigation and file final report in the impugned crime without arresting these petitioners – A3 and A4.

Accordingly, this Criminal Petition is ordered.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

DR JUSTICE SHAMEEM AKTHER, J

13.03.2018

bcj