

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.3097 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.3, A.4 and A.7, seeking to quash the proceedings against them in Crime No.379 of 2017 of Gudur I Town Police Station, SPSR Nellore District.

2. Heard the learned counsel for the petitioners/A.3, A.4 and A.7, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioners/A.3, A.4 and A.7 would submit that A3 is the wife of A2. A7 is a stranger. He has nothing to do with the family of other accused. There are no specific allegations against these petitioners to proceed with the investigation. The petitioners are not responsible for collection of any money and they did not promise to give any nominated posts or award of PHD and ultimately prayed to quash the proceedings.

4. Learned Assistant Public Prosecutor opposed the relief sought by the petitioners stating that there are number of allegations against these petitioners. The truth of otherwise is required to be investigated and ultimately prayed to dismiss the petition.

5. The point for consideration is whether the proceedings against the petitioners in Crime No.379 of 2017 of Gudur I Town Police Station, SPSR Nellore District are liable to be quashed?

6. As seen from the material placed on record there are specific and grave allegations against the petitioners/A.3, A.4 and A.7. As

per the material, they are responsible for collection of huge money from the de facto complainant and others stating that they would get nominated posts and award of PHDs. In the course of submissions, it is brought to the notice of this Court that there are eight other cases pending against A.2 and his family members. There are number of allegations and a detailed report dated 22.11.2017 was lodged by the police. In view of the allegations, there is nothing wrong in the registration of this crime for the offences punishable under Sections 420, 468, 471, 506 and 120b IPC against these petitioners.

7. The truth or otherwise of the allegations do require investigation. It cannot be said that the petitioners are innocent persons and the allegations levelled in the report dated 22.11.2017 do not constitute the offences under aforementioned sections. The petition is devoid of merits and is dismissed.

8. In the result, the Criminal Petition is dismissed.

Pending Miscellaneous Petitions, if any, shall stand closed.

Date : 13.03.2018

ssp

Dr. SHAMEEM AKTHER, J