

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.3328 OF 2018

ORDER:

This petition is filed by the petitioners-A2 and A3 under Section 482 Cr.P.C. to quash the proceedings in Cr.No.639 of 2017 on the file of the Station House Officer, S.N. Puram Police Station, Vijayawada City, Krishna District, registered for the offences punishable under Sections 341, 352, 420, 447, 506 and 509 r/w 34 IPC.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. It has been contended that A1 is the husband of petitioner-A2. The petitioner-A3 is the father of petitioner-A2. The de facto complainant is the mother of A1. It is further contended that A1 got disputed property from his father by way of a will deed. Thereafter, he sold the same under a registered sale deed in favour of A5. The de facto complainant is also claiming title to the disputed property. Most of the parties to the dispute are family members. The dispute appears to be civil in nature.

4. In view of nature of allegations and the punishment prescribed for the offences referred above, the S.H.O. concerned is directed to abide by the conditions imposed in **ARNESH KUMAR V. STATE OF BIHAR**¹ and follow the provisions under Section 41-A Cr.P.C. against the petitioners.

¹ (2014) 8 SCC 273

5. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 16-03-2018.

Hsd

