

SMT.JUSTICE T. RAJANI

CRL.PETITION NO. 10879 OF 2011

ORDER :

This Criminal Petition is filed seeking quash of the Proceedings in Crime No. 167 of 2011 of Tappachabutra Police Station, Hyderabad district, which is registered for an offence under section 306 of IPC.

2. Heard the learned counsel for the petitioners/A-1 and A-2 and the learned Public Prosecutor for the first respondent-State. None appears for the second respondent in spite of service of notice.

3. A perusal of the complaint shows that there are specific allegations made against these petitioners that they harassed the deceased, Mrs. Swetha Jain to discharge the amount due to them. It is also alleged that they have taken away the vehicles of the complainant and that they filed O.S.No.955 of 2011 in City Civil Court, Hyderabad and the case came up for compromise before Lok Adalat. Even after that the petitioners-accused harassed the deceased. So in view of the above allegations, the complaint at this stage cannot be quashed, the extent of harassment and whether the harassment was such that no option was left to the deceased except to commit suicide are all the issues which have to be decided at the time of trial. However, considering the request of the counsel and that facts of the case do not show that custodial interrogation of the Police is required. The police are directed not to arrest the petitioner without following procedure contemplated under section 41-A of Cr.P.C.

5. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition stand dismissed.

JUSTICE T. RAJANI

HONOURABLE SMT. JUSTICE T. RAJANI

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[RESULT :: D I S M I S S E D]

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