

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.10049 OF 2011

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioner/Accused seeking to quash the proceedings in Crime No.857 of 2011 of Rajendranagar Police Station, Cyberabad, registered for the offences punishable under Sections 354, 506 and 324 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioner 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. Learned counsel for the petitioner submits that this case is filed as a counterblast to the case filed by him, which is registered as a case in Crime No.858 of 2011. Learned counsel further submits that the complaint of the petitioner is prior in point of time, which can be understood from the endorsement made on the F.I.R. in Crime No.858 of 2011 as 09:23 P.M. But, the endorsement made on the F.I.R. in Crime No.857 of 2011 lodged by the 2nd respondent herein shows 09:25 P.M. There is only 2 minutes gap between the two reports.

4. The submission of learned counsel for the petitioner is that, in spite of his complaint being earlier in point of time, the numbers on the F.I.R. would indicate that the complaint filed by the 2nd respondent herein was registered first. That may be only a technical irregularity which needs to be explained at the time of trial.

5. As the two cases are filed with not much time gap, this Court opines that this case cannot be considered as a counterblast to the case filed by the petitioner.

6. Hence, this Court opines that it is a matter for investigation and not a fit case for quash of the proceedings.

7. Accordingly, the Criminal Petition is dismissed.

8. As a sequel, the miscellaneous petitions, if any pending, shall stand dismissed.

T. RAJANI, J

Date: 26.10.2018.
Dsh



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