

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.12374 of 2018

ORDER:

The Criminal Petition is filed by the petitioners/ A1 to A3 in Crime No.118 of 2018 of Mustabad Police Station, Rajannasircilla District, registered for the offence punishable under Section 307 r/ w 34 IPC, dated 19.10.2018 at 11.00 a.m.

2. The above crime was registered for the alleged occurrence on 18.10.2018 night at about 9.30 p.m. in the village. A perusal of the FIR shows the distance is about 18 k.m. from the police station to the place of occurrence.

3. One of the contentions raised is regarding delay in lodging complaint. It is premature in the investigation to rely that though delay may fatal unexplained it is a matter for trial. Thus that cannot be considered.

4. A perusal of the FIR when prima facie makes out an accusation of the investigation at nasal stage, there is nothing to quash FIR but for to say from the contention of the petitioners/ A2 and A3, who are Software Engineers are also intentionally roped to mark their career, the Criminal Petition is disposed of directing the police not to arrest petitioners/ A2 and A3 only but for to secure their presence for the purpose of investigation as and when required. Investigation shall go

on and all the defences are left open to impugn, if at all police final report filed.

5. Accordingly, the Criminal Petition is disposed of.

6. Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 20.12.2018
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