

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRIMINAL PETITION No. 1200 OF 2019

ORDER:

This Criminal Petition is filed to quash the proceedings in FIR No. 157 of 2018 on the file of the Charminar Police Station, Hyderabad.

The petitioner herein is the 3rd accused in F.I.R.No. 157 of 2018 registered on the complaint made by the 2nd respondent -*de facto* complainant, who, incidentally, is the Sub-Inspector of Police, Charminar Police Station. According to the complaint, the petitioner along with two others was moving in a suspicious manner near Indira High School, Petlaburj, Hyderabad at 11.30 hours, with an intention to commit breach of peace and disturb the public peace and tranquillity and also to do any wrongful act. Hence, they were taken into custody with a request to take action under Section 41(a) of the Code of Criminal Procedure.

Learned counsel for the petitioner submits that his client was falsely implicated in the above crime without there being any truth. He further submits that earlier, in the same set of facts, FIR No. 81 of 2014 was registered and the same is still pending. According to him, the police pressurized the petitioner to execute a bond for Rs. 1 lac on the same day though there is no order to that effect.

Heard learned Public Prosecutor on behalf of the respondent State.

A perusal of the First Information Report does not indicate any offence having been committed by the petitioner under the provisions of the Indian Penal Code. It is the allegation of the

petitioner that except taking the ground of suspicious movement, no other case has been made out necessitating registration of the First Information Report against him. Even as per the version of the complainant – Sub-Inspector of Police, the petitioner along with two others had been moving suspiciously, which does not constitute any offence under the provisions of the Indian Penal Code.

In those circumstances, the Criminal Petition is allowed and F.I.R. No. 157 of 2018 insofar as it relates to the petitioner – Accused No.3 is quashed.

Consequently, the miscellaneous Applications if any shall stand closed.

CHALLA KODANDA RAM, J

27th February 2019

ksld