

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

CRIMINAL PETITION No.2689 of 2019

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed to quash the proceedings in FIR No.12 of 2019 on the file of Tiryani Police Station, Kumrambheem Asifabad District, registered for the offences under Sections 498-A and 506 and read with Section 34 IPC.

2. Heard the learned counsel for the petitioners/accused, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. The petitioners-A-2 and A-3 submit that they have been falsely implicated in the above said crime and the *de facto* complainant has filed a false case against them just because they are relatives of A-1. They further contend that no allegations have been attributed in the FIR against the petitioners. In spite of the same, the police have registered case against them.

4. Learned Assistant Public Prosecutor contends that the case of the petitioners cannot be considered and their request to quash the FIR may not be feasible at this stage since the question whether they are innocents or guilty will be known only at the conclusion of investigation and trial only. Therefore, FIR cannot be quashed and the Criminal Petition is liable to be dismissed.

5. In the light of the above circumstances, this Court is of the considered view that since no direct allegations have been levelled against the petitioners, the police should not arrest the petitioners and investigation shall go on and the police are directed to submit their final report before the Court below in accordance with law.

6. Accordingly, the Criminal Petition is disposed of. No costs.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 15.05.2019

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