

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

CRIMINAL PETITION NO: 3449 OF 2020

Between:

1. Kumhari Venu, S/o.Kumhari Nageswara Rao, Aged about 26 years, R/o.H.No.3-116, Rajivnagar, Bhupalpally town, Jayashanagr Bhupalpally District
2. Kumhari Lakshmi, W/o.Kumhari Nageswara Rao, Aged about 45 years, Occ-Housewife, Rio.H.No.3-116, Rajivnagar, Bhupalpally town, Jayashanagr Bhupalpally District.
3. Kumhari Nageswar Rao,, S/o.Kumhari Mallaiah, Aged about 50 years, R/o.H.No.3-116, Rajivnagar, Bhupalpally town, Jayashanagr Bhupalpally District,
4. Kumhari Rama Krishna, S/o.Kumhari Nageswara Rao, Aged about 28 years/o.H.No.3-116, Rajivnagar, Bhupalpally town, Jayashanagr Bhupalpally District

...PETITIONERS/ACCUSED 1 to 4

AND

1. The State of Telangana, represented by its Public Prosecutor High Court for the State of Telangana at Hyderabad.

1st RESPONDENT/STATE

2. Pulla Rajeeru, S/o.Sammaiah, Aged about 55 years, R/o.Narsimhareddypalli, Bhupalpally, PuEluriramaiahpally, Jayashankar Bhupalpally District

...2nd RESPONDENT/COMPLAINANT

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to Crime No.256 of 2020 on the file of Bhupalpally Police Station, Jayashnagar Bhupalpally District and quash the same.

I.A. NO: 2 OF 2020

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in Crime No.256 of 2020 on the file of Bhupalpally Police Station, Jayashankar Bhupalpally District.

I.A. NO: 1 OF 2021

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to extend the interim order dated 01.09.2020 passed in cri.p.No.3449 of 2020 until further orders.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A. Prabhakar Rao, Advocate for the Petitioner and the Assistant Public Prosecutor (TG) on behalf of the Respondent No.1 and none appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K. LAKSHMAN**CRIMINAL PETITION No.3449 OF 2020****ORDER:**

This Criminal Petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.256 of 2020 of Bhupalapally Police Station, Jayashankar Bhupalpally District. The petitioners herein are A.1 to A.4 in the said crime. The offences alleged against the petitioners herein are under Sections 306 read with 34 of IPC.

2. Heard Sri A.Prabhakar Rao, learned counsel for the petitioners and Sri Khaja Vizarith Ali, learned Asst. Public Prosecutor for the State. Perused the record.

3. Vide order dated 01.09.2020, this Court directed the 1st respondent-Police, not to take any coercive steps against the petitioners herein. Thereafter, the Investigating Officer has completed investigation and laid charge sheet against the petitioners herein. In view of the said order, though there is no stay, the learned Addl. Judicial Magistrate of First Class, Parkal, is not receiving the charge sheet and numbering it.

4. As stated above, this Court has directed the 1st respondent-Police not to take any coercive steps only but there is no stay of investigation.

5. In view of the same, this Criminal Petition is disposed of directing the learned Addl. Judicial Magistrate of First Class, Parkal to receive the charge sheet and take cognizance if the same is otherwise in order. However, liberty is granted to the petitioners herein to challenge the said charge sheet if so advised.

As a sequel, the miscellaneous Petitions, pending if any, shall stand closed.

//TRUE COPY//

SD/-T.SRINIVAS
ASSISTANT REGISTRAR

GB

SECTION OFFICER

To,

1. The Additional Judicial Magistrate of Parkal.
 2. The Station House Officer, Bhupalpally Police Station, Jayashankar Bhupalpally District.
 3. One CC to Sri A. Prabhakar Rao, Advocate [OPUC]
 4. One CC to Sri Khaja Vizarith Ali, Learned Assistant Public Prosecutor, High Court at Hyderabad. [OUT]
 5. Two CD Copies
 6. One Spare Copy
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HIGH COURT

DATED: 26/04/2022

ORDER

CRLP.No.3449 of 2020



DISPOSING OF THE CRP

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REMO
10/16/2022