

HON'BLE SRI JUSTICE K. LAKSHMAN
CRIMINAL PETITION Nos. 4890, 4894 AND 4866 OF 2022

ORAL ORDER:

Heard the learned counsel for the petitioners and learned Assistant Public Prosecutor appearing on behalf of respondent No.1, and perused the record.

2. All the aforesaid criminal petitions are filed by the petitioners to quash the proceedings in Crime No.267 of 2022 of Saifabad Police Station, Hyderabad City Commissionerate against them.

3. The petitioners herein are arraigned as accused Nos.1 to 3 in the aforesaid Crime. The offence alleged against them is under Section - 326 read with 34 of IPC.

4. The allegations levelled against the petitioners herein in the complaint are that on 28.05.2022 at about 22:45 hours, he went to his Aunt house at CIB quarters, Khairatabad, Hyderabad, where he was informed by his aunt that her property documents and Aadhar Card were taken by the sons of his uncle and they are creating problems. On the said issue, while respondent No.2 was discussing with his uncle's sons, Salman's cousin, Mr. Kamran attacked with stone on his head,

then the petitioner in Crl.P. No.4894 of 2022 attacked with a knife. In the said attack, the left thumb of respondent No.2 got a bleeding injury. The other petitioners also attacked on respondent No.2 herein. Then, respondent No.2 was shifted to Gandhi Hospital for treatment.

5. Since the allegations levelled against the petitioners herein attract the offence under Section - 326 of IPC, this court directed the learned Public Prosecutor to get specific instructions with regard to the nature of injuries received by the victim and also produce a copy of injury certificate. Therefore, he has produced the injury certificate dated 11.06.2022 issued by the Gleneagles Global Hospital. As per the said injury certificate, the victim has received the grievous injury, viz., laceration wound 6x1 cm lateral aspect wrist.

6. Learned counsel for the petitioners would submit that there are no specific allegations against accused No.1 and it is only a counter blast case. Injury received by the victim is not specifically mentioned therein. All the said aspects cannot be considered in a petition filed under Section - 482 of the Cr.P.C. In a matter like this, scuttling the investigation at the threshold is not warranted.

7. As discussed above, *prima facie*, there are specific allegations against the petitioners herein. Scuttling the investigation at the threshold is not warranted as held by the Hon'ble Supreme Court in **Neeharika Infrastructure Private Limited v. State of Maharashtra**¹. The petitioners failed to establish any ground to quash the proceedings in the aforesaid crime and the petitions are liable to be dismissed.

8. All the Criminal Petitions are accordingly dismissed.

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

13th June, 2022
Mgr

K. LAKSHMAN, J

¹. AIR 2021 SC 1918