

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

**FRIDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 10475 OF 2022

Between:

Shaik Naseer Ahmed, S/o Shaik Hussain Aged About 57 Year, Occ:
Agriculture R/o H. No. 1-97, Thummadam Village Nidamanur Mandal,
Nalgonda District

...Petitioner/Accused No.1

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court At Hyderabad.
2. R. Adepu, S/o Mallaih, Aged About 66 Year, Occ: Retired Government employee R/o Hill Colony, Peddavora Mandal Nagarjuna Sagar, Nalgonda District

...Respondent No.1 & 2

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 quash in F.I.R No. 223 of 2022, on the file of the P.S. Haliyam Nalgonda District Registered for the offence Punishable Under Head of section 307, 120 (B) of I.P.C. R/w section 34 of I.P.C. arising from information of respondent No.2.

I.A. NO: 1 OF 2022

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 dispense in F.I.R No. 223 of 2022 on the file of the P.S Haliyam Nalgonda District.

I.A. NO: 2 OF 2022

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 investigation in F.I.R No. 223 of 2022 on the file of the P.S Haliyam Nalgonda District (including Petitioner/ Accused No.1 arrest).

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Mr. M. RATAN SINGH, Advocate for the Petitioner and of the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and for the Respondent No.2 not appeared in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.10475 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.1 to quash the proceedings against him in FIR No.223 of 2022 pending on the file of Station House Officer, Haliya Police Station, Nalgonda District. The offences alleged against him are under Sections 307 and 120b read with Section 34 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner – Accused No.1 and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. The case against the petitioner is that on 22.11.2022 while the son-in-law of the *de facto* complainant was going on his motor cycle, the petitioner allegedly along with others put chilli powder in the eyes of the victim and beat him with stick.

4. Learned counsel appearing for the petitioner would submit that the very motive which is stated in the complaint is not made out on facts and the promissory notes were in fact executed, for which reason, the very basis on which the complaint is lodged is false.

5. As seen from the averments in the complaint, the victim was way laid and chilli powder was put in his eyes and beaten with sticks. For the said reason, there are no grounds to interfere in the course of investigation.

6. Accordingly, the Criminal Petition is dismissed. Needless to say, the concerned police shall consider the nature of injuries that have been received and accordingly act during the course of investigation.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- NAYANI CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

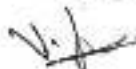
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SECTION OFFICER

To,

1. The Station House Officer, Haliyam Police Station, Nalgonda District.
2. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
3. One CC to Mr. M. RATAN SINGH, Advocate [OPUC]
4. Two CD Copies.

njb



HIGH COURT

KS,J

DATED:25/11/2022



ORDER

CRLP.No.10475 of 2022

DISMISSING THE CRIMINAL PETITION.

⑥ *vw*
12/1/23