

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

**TUESDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11397 OF 2022

Between:

1. Galipelli Niranjan Chary S/o.Galipelli Narsimha Chary
2. Galipelli Rama Devi, W/o.Galipelli Niranjan Chary
3. Galipelli Sandeep Kumar, S/o.Galipelli Niranjan Chary

...PETITIONERS/ACCUSED No. 1 to 3

AND

1. The State of Telangana, through Public Prosecutor High Court at Hyderabad,
2. Smt.Raju Mahankali, W/o.Podda Gangaram, Aged about. 45 years, Occ. Not known to petitioners, R/o. Jagtial District, Telangana State.

...RESPONDENTS

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 the F.I.R. in Crime No. 21/2022, dated 13/01/2022 pending on the file of P.S. Jagtial Town, in the interest of justice

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 stay all further proceedings in Crime No. 21 of 2022 on the file of P.S. Jagtial Town including arrest of the petitioners, pending disposal of the Criminal Petition, in the interest of justice

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri NYAYAPATHI PRASHANT ,Advocate for the Petitioner and the Public Prosecutor 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.SURENDER**CRIMINAL PETITION No.11397 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 petitioners-Accused Nos.1 to 3 to quash the proceedings against them in FIR No.21 of 2022 pending on the file of Station House Officer, Jagtial Town Police Station, Jagtial District. The offences alleged against them are under Sections 290 and 323 read with Section 34 of Indian Penal Code (for short "IPC") and Sections 3(2)(Va), 3(1)(r)(s) of SC/ST (POA) Act.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent – State. Perused the Record.

3. Learned counsel for the petitioners submits that even on a reading of the complaint, the alleged incident of assault had taken place within the four walls, which is not within public view.

4. However, the allegations in the complaint reflects that, there are civil disputes amongst the parties, pursuant to which, the altercation ensued, for the said reasons, the Court deems it appropriate to direct the Investigating Officer in FIR No.21 of 2022 pending on the file of Station House Officer, Jagtial Town Police Station, Jagtial District, to conclude the investigation without taking any coercive steps against the petitioners – Accused Nos.1 to 3, by following the procedure laid down under Section 41-A Cr.P.C and also the guidelines formulated by the Hon'ble Supreme Court in **Armesh Kumar v. State of Bihar**¹ scrupulously. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

5. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The First Additional Judicial First Class Magistrate at Jagtial.
2. The Station House Officer, Jagtial Town Police Station, Jagtial.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. NYAYAPATHI PRASHANT Advocate [OPUC]

5. Two CD Copies

VH

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HIGH COURT

KS, J

DATED: 20/12/2022

ORDER

CRLP.No.11397 of 2022



Disposing of the Criminal Petition

[Handwritten signature]
20/12/2022