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*Crl.MP.No.13851 of 2022  
in Crl.O.P.No.4611 of 2021*

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**in**

**Crl.O.P.No.4611 of 2021**

**R.N.MANJULA, J.**

This Criminal Miscellaneous Petition has been filed to seek permission to amend the prayer in the quash petition.

2. The contempt petition has been filed against the police respondents therein by alleging that they had filed the charge sheet even while the order of stay granted in Crl.MP.No.2971 of 2021 in Crl.OP.No.4611 of 2021 was pending. The said Crl.OP.No.4611 of 2021 is the present petition and the same has been filed to quash the FIR. Since the charge sheet has been filed even while the stay was pending, the petitioner had filed the Contempt Petition in Cont.P.No.221 of 2022 for seeking orders to initiate Contempt proceedings against the respondents therein. While disposing the said Contempt Petition on 29.03.2022, this Court observed as under:-

*“3. Considering the explanation given by the respondents, this Court does not want to any further escalate this case. Liberty is granted to the petitioner to challenge the final report by amending the pending criminal original petition or by filing a fresh criminal original petition. The Court below shall await further orders that will be passed in the petition challenging the final report filed by the respondents.”*



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3. In pursuant to the said observation made in the above order, the petitioner has filed the Criminal Miscellaneous Petition in Crl.MP.No.13851 of 2022 to amend the prayer from quashing the FIR to quashing the charge sheet. Since the petitioner has filed the petition in pursuant to the earlier order, I feel it is appropriate to allow the petition.

4. In the result, this Criminal Miscellaneous Petition is allowed. Registry is directed to carry out necessary amendments in the cause title.

**23.02.2023**

**(1/2)**

kmi

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