

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

TUESDAY, THE THIRD DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 30 OF 2023

Between:

1. Kancharla Sita Rama Rao, S/o. A. Krishna Rao, aged about 65 years, Occ. Unemployed, R/o. H.No.8-2-674/B/26/A, white house, Banjarahills, Shaikpet, Hyderabad.
2. Bobba Sudha Rani, W/o. Aged about 40 years, Occ. R/o H.No.8-2-674/B/26/A, white house, Banjarahills, Shaikpet, Hyderabad.

...Petitioner/Accused

AND

1. The State of Telangana, Represented by its Public Prosecutor, Secretariate, Hyderabad.

...Respondent

2. R. Kondaiah, S/o. R. Subbaiah Late, H.No.6-3-596/77/3 (737), 402 4th floor, Naveen Nagar, Hyderabad.

...Respondent/De-facto 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 quash the proceedings in FIR No. 1019 of 2022 dated 03-12-2022 in on the file of Hon'ble III Additional Chief Metropolitan Magistrate, at Hyderabad.

I.A. NO: 2 OF 2023

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 grant stay of all further proceedings in FIR No. 1019 of 2022 dated 03.12.2022 in on the file of Hon'ble III Additional Chief Metropolitan Magistrate, at Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N. JOY, Advocate for the Petitioner and the Additional 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.30 OF 2023

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 to quash the proceedings against them in FIR No.1019 of 2022 pending on the file of Station House Officer, Banjarahills Police Station, Hyderabad, registered for the offences punishable under Sections 341, 323 and 506 read with Section 34 of Indian Penal Code.

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

3. The case against the petitioners is that while the 2nd respondent and his relatives were in their flat, one person DV Rao who is the owner of his adjacent flat and others allegedly attacked the 2nd respondent and his relatives.

4. According to the 2nd respondent, there is no mention about these petitioners in any way talking or harassing the 2nd respondent.

5. Learned counsel for the petitioners submits that the police are unnecessarily harassing the petitioners by calling them to the police station.

6. As seen from the provisions in the First Information Report all are bailable offences. Since there was no specific allegation against these petitioners, this Court deems this appropriate to direct the Investigating Officer in FIR No.1019 of 2022 pending on the file of Station House Officer, Banjarahills Police Station, Hyderabad, to conclude the investigation by looking into the facts of the case. Further, the petitioners shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

7. Needless to say the Investigating Officer shall not call the petitioners to the police station unnecessarily under the pretext of investigation, unless required.

8. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The III Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Banjara Hills Police Station, Hyderabad.
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. N. JOY, Advocate [OPUC]
5. Two CD Copies

PSR


HIGH COURT

KS,J

DATED:03/01/2023

ORDER

CRLP.No.30 of 2023



DISPOSING OF THE CRIMINAL PETITION.

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