

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE TWENTY SECOND DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1759 OF 2020

Between:

1. Pundru Bhuma Reddy, S/o. Deva Reddy, aged 38 years, Occ. Agriculture, R/o. Puspur Village of Lokeshwaram Mandal
2. Pundru Haritha, W/o. Bhuma Reddy, Aged 35 years, Occ. Agriculture, R/o. Puspur Village of Lokeshwaram Mandal
3. Pundru Deva reddy, S/o. Ramulu , Aged 60 years, Occ. Agriculture, R/o. Puspur Village of Lokeshwaram Mandal
4. Pundru Gangavva, W/o. Deva Reddy, Aged 55 years, Occ. Agriculture, R/o. Puspur Village of Lokeshwaram Mandal
5. Thenetla Kishta Reddy, S/o. Ramulu, Aged 44 Years, Occ. Agriculture, R/o. Chinna Ghanpur (V), Kulcharam (M), Medak Dist

...PETITIONER/A1 TO A5

AND

1. The State of Telangana, Represented by the Public Prosecutor of High Court at Hyderabad
2. Pundru Devender Reddy, S/o. Muthyam Reddy , Aged 43 years, Occ. Agriculture, R/o. Puspur Village of Lokeshwaram Mandal

...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 proceedings in CC No. 162 of 2018 on the file of Judicial Magistrate of First Class a Bhainsa.

I.A. NO: 2 OF 2020

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 CC No. 162 of 2018 on the file of Judicial Magistrate of First Class a Bhainsa.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri N KRISHNA SUMANTH, Advocate for the Petitioners 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 HON'BLE SRI JUSTICE K. SURENDER

CRIMINAL PETITION NO. 1759 OF 2020

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 5 to quash the proceedings in C.C.No.162 of 2018 on the file of Judicial Magistrate of First Class at Bhainsa, for the offences under Sections 294(b), 323, 324, 506, 352 r/w. 34 of the Indian Penal Code (for short 'the IPC').

2. Respondent No.2 filed a complaint stating that on 29.11.2017, the petitioners and respondent No.2 entered into a fight regarding construction of house. It is alleged that accused No.1 beat one P. Deva Reddy on his head resulting in receiving grievous injuries. It is also alleged that petitioners 2 to 5 were also part of the group who inflicted injuries. Case and counter cases were filed vide Crime No. 102 of 2017 and Crime No.103 of 2017 registered by P.S. Lokeshwaram. In Crime No.103 of 2017, charge sheet was filed vide C.C.No. 65 of 2018 on the file of Judicial Magistrate of First Class at Bhainsa, the accused pleaded guilty and accordingly convicted.

3. The learned counsel for the petitioners would submit that since the accused in Crime No.103 of 2017 pleaded guilty it means that these petitioners in the present case are victims for which reason the prosecution case has to be quashed.

4. On reading of the complaint, the charge sheet and other submissions would reveal that accused No.1 was the person who inflicted injury with a stick. Bald allegations are made against petitioners 2 to 5 stating that they were also involved, however no specific overt acts are attributed to petitioners 2 to 5.

5. In the present circumstances, this Court deems it appropriate to quash proceedings against petitioners 2 to 5.

6. Accordingly, the criminal petition is allowed in part. The proceedings against petitioners 2 to 5 in C.C.No.162 of 2018 on the file of Judicial Magistrate of First Class at Bhainsa are hereby quashed and the proceedings against petitioner No.1 shall continue.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

SD/- K.AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class at Bhainsa.
2. The StationHouse Officer, Lokeshwaram Police Station, Nirmal District.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad.[OUT]
4. One CC to SRI. N KRISHNA SUMANTH, Advocate [OPUC]
5. Two CD Copies

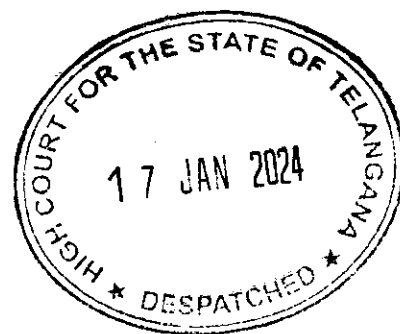
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HIGH COURT

DATED:22/08/2023

ORDER

CRLP.No.1759 of 2020



PARTLY ALLOWING THE CRLP

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