

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

CRIMINAL PETITION No.1586 OF 2020

ORDER:-

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C."), seeking quash of the F.I.R. in Crime No.246 of 2019 of Indrapalem Police Station, East Godavari District.

2. Heard learned counsel for petitioner.
3. The *de facto* complainant lodged a report with the police stating that on 24.10.2019 afternoon, the petitioner called the *de facto* complainant over phone to his house stating that he has to talk to him. Immediately the *de facto* complainant went to his house along with his friend. When he reached his house at about 1:30 P.M., the petitioner abused the *de facto* complainant in filthy language without any reason and threatened him to kill him if he again sees the *de facto* complainant with one Karri Rama Chandra Reddy and if he moves with him.
4. The said report was registered by the Police for the offence punishable under Section 506 read with 34 of I.P.C. The said case is now under investigation.
5. A reading of the contents of the F.I.R. *prima facie* disclose that the *de facto* complainant lodged the report with the police alleging that the petitioner has threatened him with dire consequences to kill him, which is *prima facie* punishable under Section 506 of I.P.C. Therefore, there are no valid grounds warranting interference of this Court in exercise of its powers under Section 482 of Cr.P.C. either to interdict the investigation

or to quash the F.I.R. Although it is stated that it is a false case foisted against the petitioner and he was falsely implicated in this case, this Court cannot go into the said disputed question of fact to decide whether the said allegations are true or not in this petition filed under Section 482 of Cr.P.C. The truth or otherwise of the said allegations is to be ascertained by the Investigation Officer during the course of investigation. Therefore, this Court do not see any valid ground to quash the F.I.R.

6. Therefore, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any pending, in this Criminal Petition, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

Date : 20-03-2020

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