

Criminal Procedure Code, Section 197 – Plea that petitioners, being the Government employees / Police men, were discharging their duties in the Police Station – One who claim for protection under Section 197 CrPC, has to bring on record that the public servant was discharging his official duty and the acts complained of, is related to his official duty – The purported act conducted by the petitioners being public servant in fabricating documents cannot be co-related with their public duty – Prima facie case made out that the accused-petitioners have indulged in conspiracy with the private person to prepare false document to deprive a person from the possession of immovable property – By no stretch of explanation the purported act of the petitioners will come within the purview of official duty and only because they are in the police station with their uniform, they cannot take the shield the uniform to protect their unlawful conduct – Prayer for quashing the proceeding / discharge for non-obtaining sanction under Section 197 CrPC, dismissed.

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