

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.No.3786 of 2015

ORDER :

The Petition is filed by the Petitioners/A.1 and A.3 under Section 482 Cr.P.C to quash the proceedings in Crime No.397/2015 of saifabad Police Station, Hyderabad registered for offences punishable under Sections 120B,323,384,420,457 and 468, 506 of I.P.C. and Section 156(3) of Cr.P.C. on the complaint of the 2nd respondent.

2. Heard the learned counsel for the petitioners/A.1 and A.3 so also the learned Public Prosecutor representing State-1st respondent before ordering notice to the 2nd respondent/defacto-complainant and perused the material on record.

3. On perusal of the material on record which falls short to admit the application for quashing and undisputedly in the crime pending since May,2014 whereas the quash petition is filed on 20.04.2015. So far there is no arrest of the accused persons and notice already issued under Section 41/41-A of Cr.P.C. Needless to say the police must follow the procedure contemplated therein if at all to arrest pending investigation with permission of the Court otherwise after filing of the chargesheet to take the recourse by summons for securing their presence.

4. With the above observation, the Criminal Petition is disposed of. Consequently, miscellaneous applications, if any, pending in this Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 02.06.2015

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