

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.P.No.9479 of 2015

ORDER:

This Criminal Petition is filed Under Section 482 Cr.P.C. by the Petitioner-accused to quash the proceedings initiated against him in Crime No.492 of 2014 on the file of Uppal Police Station, Cyberabad, registered for the offences punishable under Sections 406 and 409 I.P.C.

On a complaint given by the 2nd respondent, who is Enforcement Officer of Employment Provident Fund Organization, a case in Crime No.492 of 2014 was registered against the petitioner by the Inspector of Police, Uppal Police Station, Cyberabad. The allegation against the petitioner is that he being the Managing Director of M/s Noel Pharma (India) Private Limited did not remit the provident fund contributions amounting to Rs.5,89,519/- deducted from the employees wages from May 2012 to January 2013 and thus committed criminal breach of trust and cheating.

Heard the learned Counsel appearing for the petitioner and the learned Public Prosecutor, representing the State.

The allegations in the complaint *prima facie* reveal the commission of alleged offences by the petitioner herein. The matter has to be investigated by the police so that the truth or otherwise of the allegations can be brought out. Therefore, I see no grounds to interfere with the investigation of the case at this stage.

Accordingly, the Criminal Petition is dismissed. However, the Investigating Officer is directed to proceed with the investigation expeditiously, however, the petitioner-accused shall not be arrested without following the procedure as contemplated under Section 41A Cr.P.C.

Miscellaneous petitions, if any, pending shall stand closed.

M.S.K.JAISWAL, J

09-10-2015

Gsn