

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3314 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.105 of 2016 of Pet Basheerabad Police Station, Cyberabad registered for the offences punishable under Sections 406 and 420 IPC.

Heard and perused the material available on record.

The offences alleged against the petitioners/A-1 and A-2 are punishable under Section 406 and 420 IPC, which are serious in nature and the case is under investigation by the investigating agency. The truth or otherwise of the allegations made against the petitioners/A-1 and A-2 have to be properly ascertained during the course of investigation and the same cannot be decided now.

At this stage, the learned counsel for the petitioners submits that due to the pendency of the above crime, the petitioners/A-1 and A-2 apprehends arrest and harassment in the hands of the respondent-police.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners/ A-1 and A-2 are serious in nature, this Court is not inclined to interfere with the proceedings initiated against the petitioners/A-1 and A-2. However, in view of submission of the learned counsel for the petitioners that the petitioners/A-1 and A-2 are apprehending of their arrest due to pendency of the above crime, the police concerned are directed to complete investigation without arresting the petitioners/A-1 and A-2 and file the final

report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to the petitioners/A-1 and A-2 requiring them to appear before the investigating agency for the purpose of investigation and on the receipt of such notice, the petitioners/A-1 and A-2 shall appear before the investigating agency for the purpose of investigation and cooperate with the investigating agency. In the event of any failure on the part of the petitioners/A-1 and A-2 in appearing before the investigating agency on receipt of such notice, the police concerned are always at liberty to approach this Court to recall the present order.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 15-03-2016

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