

THE HONOURABLE SMT JUSTICE ANIS

CRIMINAL PETITION No.14071 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 and A2 seeking to quash the proceedings in Cr.No.91 of 2016 of Vatsavai Police Station, Krishna District, registered for the offence punishable under Section 420 read with Section 34 IPC, against them.

2. Heard learned counsel for the petitioners/accused and learned Additional Public Prosecutor representing the State.

3. The second respondent lodged a complaint with the police stating that the petitioners took a sum of Rs.20,000/- from her for the purpose of arranging a loan from S.C. Corporation and since the said loan was not granted, they promised to arrange 'Mudra Loan' from Indian Bank, for which, they took her signatures and passport size photos. In the month of April, 2016, the complainant received a notice from Indian Bank, and when she asked the accused, they replied that they are no way concerned with the said notice. Hence, she lodged the complaint against the accused and the same was registered as Cr.No.91 of 2016 under Section 420 r/w.34 IPC.

4. Learned Additional Public Prosecutor argued that since the investigation is not yet completed, the petitioners are not entitled for quashing of FIR.

5. A perusal of the record shows that the investigation is not yet completed and the charge sheet is not filed so far. Therefore, the

question of interfering with the investigation and quashing the FIR at this stage does not arise. However, this Court can pass order restraining the police from arresting the petitioners/A1 and A2.

5. In the facts and circumstances of the case, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting petitioners/A1 and A2 till filing of charge sheet or final report in the above crime. The petitioners/A1 and A2 shall appear before the investigating agency as and when required during course of investigation.

Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

28th September, 2016
sj

ANIS,J

