

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.14683 OF 2016

ORDER:

This petition is filed under Section 482 of Cr.P.C. to quash proceedings in Cr.No.113 of 2016 of Central Crime Station, DD, WCO, Team-7, Hyderabad District, for the offences punishable under Section 406 and 420 of I.P.C. on the ground that the allegations made in the complaint would not attract the offences punishable under Sections 406 and 420 of I.P.C.

Petitioner brought to the notice of this court that petitioner filed I.P. No.66 of 2016 on 28-11-2015 pending on the file of Additional Judge, Small Causes Court, City Small Causes Court, Hyderabad for trial and that the second respondent having appeared and filed counter before the said court, the present complaint is lodged with the police making serious allegations against the petitioner.

At the end of arguments, the learned counsel for the petitioner requested this Court to direct the Police to scrupulously follow the procedure as contemplated under Section 41-A of Cr.P.C.

The allegations made in the complaint prima facie go to show that there is material to attract the offences for criminal breach of trust and cheating, and therefore it is not a fit case to exercise extraordinary jurisdiction under Section 482 Cr.P.C. to quash the proceedings. However, in view of the request made by the counsel

for the petitioner, police of Central Crime Station, DD, WCO, Team-7, Hyderabad District, are directed to follow the procedure as contemplated under Section 41-A of Cr.P.C. and the principle laid down by the Supreme Court in *ARNESH KUMAR v. STATE OF BIHAR AND ANOTHER*<sup>1</sup>.

With the above direction, this Criminal Petition is disposed of.

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JUSTICE M.SATYANARAYANA MURTHY

Dated 19-10-2016.

Dvs.



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<sup>1</sup> 2014(8) SCALE 250

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Dated 19-10-2016.

Dvs