THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5952 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-4 in Crime No.89 of 2016 of Kanchanbagh Police Station, registered for the offences punishable under Sections 120-B, 420, 406 and 506 read with 34 IPC.

Heard the learned counsel for the petitioners/A-1 to A-4 and A-3 and the learned Public Prosecutor and perused the material on record.

Admittedly, a complaint was lodged by the second respondent/*de facto* complainant against the petitioners herein wherein specific allegations are made against them, the truth or otherwise of which can be ascertained only after due investigation into the crime by the investigating agency and the same cannot be determined at the investigation stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners, this Court is not inclined to interfere with the investigation against the petitioners/A-1 to A-4. However, in view of submission that the petitioners apprehend their arrest, the Police concerned is directed to complete investigation without arresting the petitioners herein and file final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to the petitioners for the purpose of investigation and on receipt of such notice the petitioners shall appear before the police and cooperate with the investigating

agency. In the event of failure on the part of the petitioners herein to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 21-04-2016

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