

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.1810 of 2016

ORDER:

The present Criminal Petition is filed under Section 438 Cr.P.C. seeking release in the event of arrest of the petitioners in an un-registered crime alleged to be registered in Asif Nagar Police Station, Hyderabad.

Heard learned counsel for petitioners and learned Additional Public Prosecutor appearing for the respondent-State.

The Public Prosecutor on instructions submits that no report is received from the second respondent in any of the police station in this State. Hence, I am not inclined to grant the relief sought for. However, if the Asif Nagar Police Station register any crime pursuant to a report given by the second respondent for the offences punishable with imprisonment for a term which is less than seven years or which may extend to seven years, the investigating agency is directed to follow the procedure laid down under Section 41 Cr.P.C. and the judgment of the Apex Court in ***Arnesh Kumar v. State of Bihar and another***^[1].

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

JUSTICE C. PRAVEEN KUMAR

19.02.2016
gkv

^[1] 2014 (2) ALT (CrL.) 457 SC

