

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13587 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Cr.No. 51 of 2016 on the file of Station House Officer, Police Station, Duggondi, Warangal District, registered for the offences punishable under Section 420 IPC.

Heard learned counsel appearing for the petitioner/Accused No.5, and learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioner/Accused No.5 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

However, considering the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/Accused No.5 in the above crime for a period of one month from today, during which period, the petitioner/Accused No.5 should obtain appropriate relief either

under Section 437 or 438 Cr.P.C. If the petitioner failed to obtain the relief as stated supra, it is left open for the Investigating Agency to proceed against the petitioner/A.5 in accordance with law.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 26th September, 2016.
Msnr_x

