

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**Criminal Petition No.3330 of 2016**

**ORDER:**

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.1047 of 2015 of L.B. Nagar Law and Order Police Station, Cyberabad registered for the offences punishable under Sections 306 and 420 IPC.

Heard and perused the material available on record.

It is alleged that on 12-08-2015 at 9.00 hrs the de facto complainant received a phone call from the friend of her husband stating that her husband Venkata Ramarao died yesterday at 4.00 P.M. at Aswini Marriage Bureau and on receipt of such information, the de facto complainant went to the spot and noticed that her husband committed suicide by consuming poison due to land dispute and that the de facto complainant suspected that Anjaiah Yadav and Raju Yadav are responsible for the death of her husband.

The offences alleged against the petitioner are punishable under Sections 306 and 420 IPC, which are serious in nature and the case is under investigation by the investigating agency. The truth or otherwise of the allegations made against the petitioners/accused have to be properly ascertained during course of investigation and the same cannot be decided now.

At this stage, the learned counsel for the petitioners submits that due to the pendency of the above crime, the petitioners/A-1 and A-2 apprehends arrest and harassment in the hands of the respondent-police.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners/ A-1 and A-2 are serious in nature, this Court is not inclined to interfere with the proceedings initiated against the petitioners/A-1 and A-2. However, in view of submission of the learned counsel for the petitioners that the petitioners/A-1 and A-2 are apprehending of their arrest due to pendency of the above crime, the police concerned are directed to complete investigation without arresting the petitioners/A-1 and A-2 and file the final report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to the petitioners/A-1 and A-2 requiring them to appear before the investigating agency for the purpose of investigation and on the receipt of such notice, the petitioners/A-1 and A-2 shall appear before the investigating agency for the purpose of investigation and cooperate with the investigating agency. In the event of any failure on the part of the petitioners/A-1 and A-2 in appearing before the investigating agency on receipt of such notice, the police concerned are always at liberty to approach this Court to recall the present order.

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

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**RAJA ELANGO, J**

Date: 15-03-2016

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