

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 13105 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in FIR.No.49 of 2016 on the file of Station House Officer, III Town Police Station, Adoni, Kurnool district registered for the offences punishable under Sections 468, 506 read with Section 34 IPC and Section 3(1)(r)(s) of SC/ST POA Act.

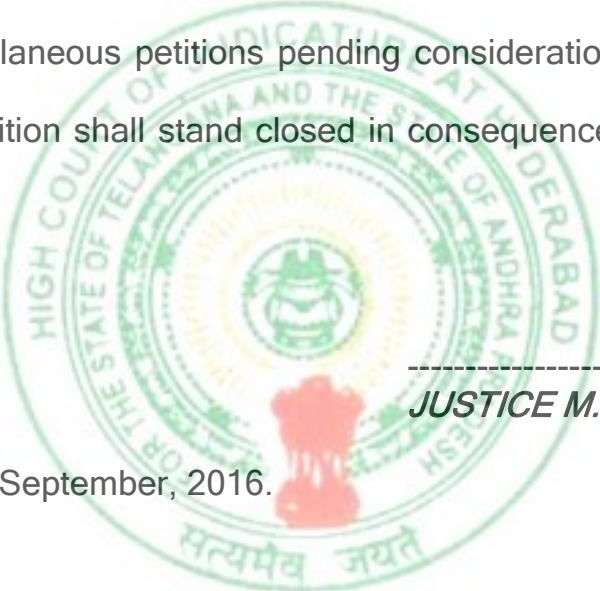
Heard the learned counsel appearing for the petitioner/Accused No. 4, and the learned Additional Public Prosecutor, representing the State.

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. 4 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, it is submitted by the learned Counsel for the petitioner that in the same crime, insofar as non-petitioners/Accused Nos.1,2,3 and 5 are concerned, this Court through order dated 01.07.2015 passed in Criminal Petition No. 9511 of 2016 directed the police not to arrest the non-petitioners/Accused Nos. 1,2,3 & 5 therein till the completion of

investigation. In view of the same and having regard to the facts and circumstances of the case, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/Accused No.4 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/Accused No.4 shall appear before the investigating agency as and when required during course of investigation and cooperate with the investigating agency for early completion of the investigation.

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 14th September, 2016.
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