

HON'BLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.12369 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioners/A1 & A2 in Crime No.98 of 2016 of Nidmanoor Police Station, registered for the offences punishable under Sections 447, 427, 384, 342, 323 r/w. 34 of IPC.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also as the offences alleged against petitioners/A1 & A2 are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners/accused.

However, in view of submissions of the learned counsel for petitioners that petitioners are apprehending their arrest in view of the pendency of the above crime, the Police concerned are directed to complete the investigation into the crime without arresting the petitioners/A1 & A2 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 petitioners/A1 & A2 requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners shall appear before the investigating agency and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

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

M.S.K.JAISWAL, J

27th August 2016

ajr