

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

CRIMINAL PETITION No.11593 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.42 of 2016 of Kandukur (T) P.S, Prakasham District, registered for the offences punishable under section 409 r/w.34 IPC.

Heard the learned counsel appearing for the petitioner/A3 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made against the petitioner 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.

It is represented that the non-petitioner/A2 has previously filed CrI.P.No.4457/2016 and this Court vide orders dated 31.03.2016, disposed of the said petition, directing not to arrest the non-petitioner/A2.

In view of the above, 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/A3 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/A3 shall appear before the investigating agency as and when required during course of investigation.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 08.08.2016

Dsr

