

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

CRIMINAL PETITION No.11794 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.103 of 2015 of Nidadavole Police Station, West Godavari District, registered for the offences punishable under Sections 420, 467, 468, 469, 471, 477 r/w 34 I.P.C r/w 156(3) Cr.P.C.

Heard the learned counsel appearing for the petitioners/accused and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made against the petitioners/accused 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. I see no ground to interdict the investigation at this stage and quash the first information report.

In view of the above, the investigating agency is directed not to arrest the petitioners/accused without scrupulously following the procedure, as envisaged under Section 41-A Cr.P.C and as held by the Apex Court in

Arnesh Kumar v. State of Bihar^[1].

The Criminal Petition is accordingly disposed of.

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

M.S.K.JAISWAL, J

Date: 11.08.2016

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^[1] 2014(2) ALT (CrI.) 457 (SC)