

THE HONOURABLE SMT JUSTICE ANIS

CRIMINAL PETITION No.14117 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/A1 seeking to quash the proceedings in Cr.No.632 of 2016 of Sanjeevareddy Nagar Police Station, Hyderabad City, registered for the offences punishable under Sections 406, 420, 506 IPC and under Section 10 of Immigration Act, 1983, against him.

2. Heard learned counsel for the petitioner/accused and learned Additional Public Prosecutor representing the State.

3. The second respondent lodged a complaint against the petitioner and others alleging that the petitioner/A1, who was running All Bright Consultancy at S.R.Nagar, took an amount of Rs.4,50,000/- from him towards process fee for providing IT job at Malaysia and accordingly, A1 sent him to Malaysia, wherein the Malaysia Consultancy took interview and provided housekeeping job, but as he was not willing to do the said job, he returned to India. When the de facto complainant asked the accused for not providing suitable job at Malaysia, they threatened him with dire consequences. Based on the said complaint, the aforesaid crime was registered.

4. Learned counsel for the petitioner contended that the second respondent went to Malaysia on student visa, but not working visa and therefore, he cannot claim employment in Malaysia and he filed this complaint falsely against the accused.

5. On the other hand, learned Additional Public Prosecutor submitted that the investigation in this case is not yet completed.

6. Considering the facts and circumstances of the case and since the investigation in this case is not yet completed, this Court cannot interfere with the investigation, but alternatively, this Court can pass order restraining the police from arresting the petitioner/A1.

7. In 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 petitioner/A1 till filing of charge sheet or final report in the above crime. The petitioner/A1 shall appear before the investigating agency as and when required during course of investigation.

Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

29th September, 2016
sj

ANIS,J