

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.11826 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.119 of 2016 of Banaganapalli P.S, Kurnool District, registered for the offences punishable under sections 420, 417 and 464 IPC.

Heard the learned counsel appearing for the petitioner/A5 and the learned Additional Public Prosecutor, representing the State. Though notice was served on the 2nd respondent/ *de facto* complainant, none appears on his behalf.

Specific allegations were made against the petitioner/A5 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.

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 the petitioner/A5 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/A5 shall cooperate with the investigating agency and shall make himself available as and when required during course of investigation.

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

M.S.K.JAI SWAL,J

Date: 07.09.2016

Dsr

Note:

Furnish copy tomorrow

B/o

Dsr