

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

CRIMINAL PETITION No.7852 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.1 of 2016 of Nalgonda I Town P.S, Nalgonda District, registered for the offences punishable under sections 370(1) (2) & (3) and 420 r/w.120-B IPC, under Sections 18 & 19 of A.P.Transplantation of Human Organ Act, 1995 and under Section 8 of the Criminal Law (Amendment) Act, 2013.

Heard the learned counsel appearing for the petitioner/accused 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.

In the facts and circumstances of the case and 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/accused till completion of the investigation and filing of the charge sheet in the above crime. The petitioner/accused 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: 09.06.2016
Dsr