

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3305 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/ Accused in Crime No.56 of 2016 of Malkajgiri Police Station, Cyberabad registered for the offences punishable under Sections 420 and 507 IPC.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Section 420 and 507 IPC, which are serious in nature and the case is under investigation by the investigating agency. The truth or otherwise of the allegations made against the petitioner/accused can be ascertained during course of investigation and the same cannot be decided at this stage.

At this stage, the learned counsel for the petitioner submits that due to the pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the respondent-police.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner/ accused are serious in nature, this Court is not inclined to interfere with the proceedings initiated against the petitioner/accused. However, in view of submission of the learned counsel for the petitioners that the petitioner/accused is apprehending of his arrest due to pendency of the above crime, the police concerned are directed to complete investigation without arresting the petitioner/ accused and file the final report, if any, in

accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to the petitioner/accused requiring him to appear before the investigating agency for the purpose of investigation and on the receipt of such notice, the petitioner/ accused shall appear before the investigating agency for the purpose of investigation and cooperate with the investigating agency. In the event of any failure on the part of the petitioners/ accused in appearing before the investigating agency on receipt of such notice, the police concerned are always at liberty to approach this Court to recall the present order.

Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 15-03-2016

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