

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

Criminal Petition No.11553 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioners/accused in F.I.R. No.69 of 2016 of Tuni Rural Police Station, registered for the offences punishable under Sections 147, 148, 143, 307, 332, 109 r/w.149 of IPC and Sections 3 and 4 of PDPP Act.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioners/accused are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners/accused.

However, in view of submissions of the learned counsel for petitioners that petitioners are apprehending their arrest in view of the pendency of the above crime, the Police concerned are directed to proceed with investigation, however, without arresting the petitioners/accused for a period of three weeks only from today, during which period, it is open for the petitioners to obtain appropriate orders from competent Court. The Police, after completion of investigation, 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 petitioners/accused requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners shall appear before the investigating agency and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

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

8th August 2016
ajr

M.S.K.JAISWAL, J