

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 11895 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime. No.598 of 2015 on the file of Station House Officer, Police Station, Shadnagar, Mahabubnagar District, registered for the offences punishable under Sections 120-B,420,467,468,471,323,504,506 read with Section 149 IPC.

Heard the learned counsel appearing for the petitioner/Accused No.3, and the learned Additional Public Prosecutor, representing the State.

It is submitted by the learned Counsel for the petitioner/Accused No.3 that in respect of the very same crime, Accused Nos.1 and 2 approached this Court in Criminal Petition Nos. 4253 of 2016 and 3094 of 2016 and this Court by orders dated 9.3.2016 and 10.3.2016 respectively directed the investigating agency not to arrest Accused Nos. 1 and 2 till the investigation is completed and charge sheet is filed.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioner/Accused No.3 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations made against the petitioner/Accused No.3 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 No.3 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/Accused No.3 shall appear before the investigating agency as and when required during course of investigation and cooperate with the investigating agency for early completion of the investigation.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 12TH AUGUST, 2016.
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