

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

CRIMINAL PETITION No.11315 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.157 of 2016 of Central Crime Station P.S. Hyderabad City, registered for the offences punishable under sections 406 & 420 IPC.

Heard the learned counsel appearing for the petitioner/A2 and the learned Additional Public Prosecutor, representing the State.

The petitioner has previously filed CrI.P.No.4652 of 2016 and by Order dated 04.04.2016, this Court dismissed the said application.

It is stated in the complaint that A.1 promised to secure M.D. (Detematology) seat at Bhaskara Medical College, Hyderabad, in the management quota for the daughter of the 2nd respondent. The 2nd respondent paid Rs.50 lakhs as 1st instalment to the petitioner-A.2, who was introduced by A.1, and he also paid Rs.35 lakhs through A.1 as second installment. Thereafter, the accused postponed the issue and A.1 avoided the 2nd respondent.

The changed circumstance that has been happened in between that order and the present petition is previously the crime was pending with P.S.Nallakunta and subsequently the same has been transferred to CCS, Hyderabad. Except the said changed circumstance, there are no other changed circumstances to be considered in the present petition.

In that view of the matter, I find no merit in the present petition and the same is accordingly dismissed. Needless to say that the police have to proceed with the investigation by scrupulously following the procedure, as envisaged under Section 41-A Cr.P.C and as held by the

Apex Court in *Arnesh Kumar v. State of Bihar*¹ before arresting the petitioner/A2.

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

M.S.K.JAI SWAL,J

Date: 19.09.2016
Dsr



¹ 2014(2) ALT (Crl.) 457 (SC)