

The Hon'ble Smt. Justice T.Rajani

Criminal Petition No.8436 of 2017

Date: 03.10.2017

Order:

This Criminal Petition is filed by the petitioner/accused No.2 in Crime No.316 of 2017 of Mahaboobnagar Rural Police Station seeking to quash all the proceedings in the said Crime on the ground that it was registered on the basis of a false complaint.

The learned Public Prosecutor takes notice for respondent No.1. Heard the learned Counsel for the petitioner and perused the record.

The learned Counsel for the petitioner contends that no prudent person will keep quiet, if the documents were snatched away from him one month back.

In my considered opinion, merely on the basis of the contents of the complaint, the truth or otherwise of the facts mentioned therein cannot be decided. The complaint is not supposed to be an encyclopedia of all the events that took place in relation thereto. The real facts will come out only during the course of investigation. Hence, at this stage, I do not find any grounds to quash the proceedings in Crime No.310 of 2017 of Mahaboobnagar Rural

Police Station. Respondent No.1- authorities are, however, directed to follow the guidelines of the Supreme Court in **Arnesh Kumar vs. State of Bihar and another**¹ before proceeding to arrest the petitioner.

Subject to the above direction, the Criminal Petition is dismissed.

(T.Rajani, J)

Dt: 3rd October, 2017
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¹ (2014) 8 SCC 273