

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9587 OF 2017

ORDER:

Heard learned counsel for the petitioner/A3 of Crime No.205 of 2017 of Vemulapalli Police Station, Nalgonda District, registered for the offence punishable under Section 420 r/w 34 IPC and Section 7 of Essential Commodities Act, dated 25.09.2017 and also heard the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent.

2. Perused the grounds urged in the quash petition and the contents of the panchanama and the FIR.

3. On perusal of the entire material on record, there is nothing to interdict the investigation, but for to say, pending investigation, if at all in the event of any necessity of arrest of the petitioner, the police shall strictly follow Section 41A of Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹. All defenses of the petitioner is left open.

4. Accordingly and with the above direction, this Criminal Petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

12.10.2017
SS

¹ 2014 (5) SCC 324