

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No. 6467 OF 2017

ORDER:

Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State. Perused the record.

Learned counsel for the petitioners/accused would submit that the allegations against the petitioners/accused are that they have forged pattadar passbooks, title deeds and other documents and obtained loan from the bank, constituting the offences punishable under Sections 406, 420, 468 and 471 I.P.C.; the petitioners are innocent and they have no way connected with the present case.

On the other hand, learned Public Prosecutor would submit that in some of the cases, judgment of the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹ was directed to be followed.

It is submitted by the learned counsel for the petitioners that it would be sufficient, if such order has been passed.

Taking into consideration the facts and circumstances of the case and also the principle enunciated by the Hon'ble Supreme Court in **Arnesh's** case (supra), the Station House Officer, Huzurnagar Police Station, Suryapet, Nalgonda District, is directed to follow the procedure as contemplated under Section 41A of Cr.P.C. in Crime No.191 of 2017.

With this direction, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 28.07.2017

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¹ (2014) 8 SCC 273