

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

CRIMINAL PETITION No.6235 OF 2017

ORDER:

Heard learned counsel for the petitioner of Crime No.884 of 2017 on the file of KPHB police station, Cyberabad, and also the learned Public Prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent – defacto complainant and perused the averments in the quash petition, impugning the said FIR registered for the offences punishable under Sections 406 and 420 of IPC.

2. The investigation is at nestle stage, it is premature to make any observation, needless to say none of the offences are punishable above seven years, thereby the police shall follow strictly Section 41A Cr.P.C., as laid by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹, if at all any arrest is required.

3. 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.

31.07.2017
SS

DR.B.SIVA SANKARA RAO, J

¹ 2014 (1) ALD (CrI) 826 SC