

THE HON' BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.7747 of 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., by the petitioner/ A1, to quash the proceedings against him in Crime No.154 of 2017 of Ameenpur Police Station of Sangareddy District, registered for the offences punishable under Sections 408 and 420 I.P.C.

The brief facts of the complaint are that the *de facto* complainant, who is the Mandal Parishad Development Officer, Patancheru, lodged a petition reporting that K.Srinivas Goud, petitioner/ A1, the Sarpanch of Ameenpur Mandal and the then Panchayat Secretaries i.e., A2, A3, A4 and A5 were misusing the powers and approving layouts and issuing building permissions by abusing their posts. Thus, he requested that necessary action be taken. The investigation is reported pending.

Having regard to the nature of the complaint and pending investigation, this Court is not inclined to the request of the petitioner/ A1 to quash the proceedings. Hence, the investigation shall proceed with. However, having regard to the nature of the charging Sections i.e., 408 and 420 I.P.C., which are punishable either upto or less than 7 years, the Investigating Officer shall strictly follow the guidelines rendered by the Hon'ble Apex Court in

Arnesh Kumar v. State of Bihar¹ and follow the procedure contemplated under Section 41-A Cr.P.C. during the course of investigation. The petitioner/ A1 in turn is directed to cooperate with the investigating agency for smooth completion of investigation.

Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, miscellaneous applications, pending if any, shall stand closed.

Date: 18.04.2018
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U.DURGA PRASAD RAO, J



¹ 2014 (8) SCC 273