

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3578 of 2018

ORDER:

This petition is filed by the petitioners/accused Nos.2, 4 and 6 under Section 482 Cr.P.C. to quash the proceedings against them in Cr.No.148 of 2016 of III Town PS, Kakinada registered for the offence under Sections 384 r/w 511, 468 r/w 471, 109 IPC.

2) Investigation is reported to be pending.

3) When the matter came up for hearing, learned counsel for petitioners would, *inter alia*, submit that in W.P.No.35633 of 2016 filed by present petitioners 1 and 3 and some others, this Court in its order dated 21.10.2016 while directing the IO to complete the investigation expeditiously and file final report within a period of six months, further directed the IO not to arrest the petitioners. Learned counsel would submit that though time frame was fixed by this Court, the police have not so far completed investigation and under the guise of investigation police are harassing the petitioners.

4) Learned Public Prosecutor would admit the investigation is still pending and not completed. He, however, on instructions, gave an undertaking that during the course of investigation, IO would not arrest sofaras petitioner No.2/A4 is concerned. Sofaras other petitioners are concerned, there is already an order of this Court in W.P.No.35633 of 2016 not to arrest the petitioners them pending investigation.

5) Since it is an admitted fact investigation is not completed even one year after the order passed by this Court, the IO is directed to complete the investigation within two months from the date of receipt of this order failing which he has to face contempt of this Court.

6) Criminal Petition is disposed of accordingly.

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

Date: 18.04.2018
Murthy

U. DURGA PRASAD RAO, J

