

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRL.P.No.3699 OF 2018

ORDER:

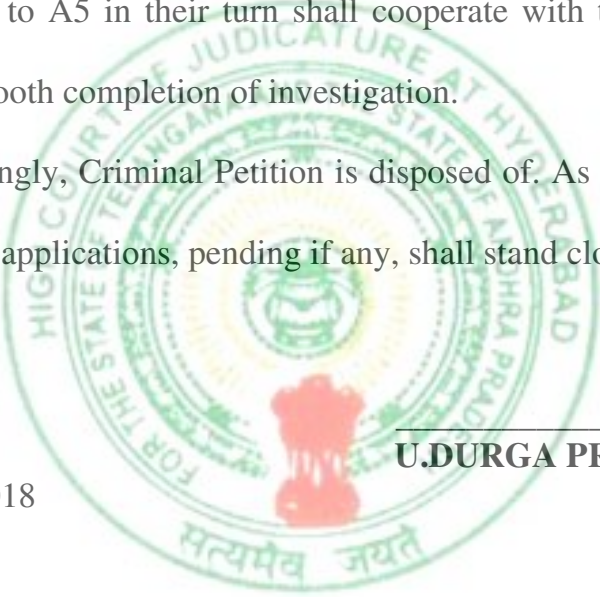
This petition is filed by the petitioners/A1 to A5 under Section 482 Cr.P.C to quash the proceedings against them in Cr.N o.40 of 2018 on the file of the Kakatiya University Police Station, Warangal Commissionerate registered against them for the offences under Sections 420, 406 and 109 IPC.

The de-facto complainant alleges that there are disputes between himself and his wife i.e., A-1 and on 04-11-2017 when he was hospitalized in Hyderabad, A-1 instead of serving him left him in the hospital alone and went to his house and had taken away all the household articles with the help of other accused. She also filed a false DVC case and another case under Section 498-A IPC against the complainant. The investigation is reported to be pending.

The learned counsel for the petitioners while denying the complaint allegations would submit that petitioners/A2 to A5 are nothing to do with the alleged offence and they are not the close relatives of the complainant and they were unnecessarily implicated in the present case.

Having regard to the prima facie accusations against the petitioners, it is not apt to quash the proceedings. Therefore, investigation shall lead to its logical conclusion. However, the Investigating Officer shall strictly follow the guidelines rendered in **Arnesh Kumar vs. State of Bihar**¹ and the procedure contemplated under Section 41-A Cr.P.C. during the course of investigation towards the petitioners/A1 to A5. The petitioners/A1 to A5 in their turn shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, Criminal Petition is disposed of. As a sequel thereto, miscellaneous applications, pending if any, shall stand closed.



U.DURGA PRASAD RAO, J

Date: 23.04.2018

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¹ AIR 2014 SC 2756