

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRL.P.NO.3779 OF 2018

ORDER:-

This petition is filed by the petitioner/A-6 under Section 482 of the Code of Criminal Procedure, 1973 to quash the proceedings against him in Cr.No.40 of 2018 on the file of the Kakatiya University Police Station, Warangal Commissionerate registered against the petitioner and other accused for the offence under Sections.420, 406 and 109 IPC.

The defacto 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 petitioner while denying the complaint allegations would submit that he has nothing to do with the alleged offence and he is not a close relative of either the complainant or A-1 and he was unnecessarily implicated in the present case.

Having regard to the *prima facie* accusations against the petitioner and other accused, 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 petitioner/A-6. The petitioner/A-6 in his 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

03-04-2018

Note:
Issue CC
By tomorrow.
(B/O)
TSNR



¹ AIR 2014 SC 2756