

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4250 OF 2018

ORDER.

This Criminal Petition is filed under Section 482 Cr.P.C. by the petitioners/A.2 to A.5 seeking to quash the proceedings against them in Cr.No.353 of 2017 of Nalgonda Police Station, Nalgonda District, for the offences under Sections 417, 420, 376 of I.P.C. and Section 3 (1) (r) (s), 3(2) (v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

The investigation is reported to be pending. A close perusal of F.I.R. allegations would show that the main allegations are attributed against A.1 who allegedly induced the defacto complainant to love him on the pretext of marriage and had sexual intercourse with her and also aborted her pregnancy twice.

Be that it may, the petitioners/A.2 to A.5 who are parents, brother and married sister of the petitioners are not part of the main offence. The allegation against them is that initially they agreed to perform marriage of the complainant with A.1. However, later, they refused on the ground that complainant belongs to Scheduled Caste Community and they are Muslims.

Having regard to the nature of the accusation against petitioners/A.2 to A.5 and stage of investigation which is reported to be in the mid way, this Court is of the considered view that investigation shall go on. However, the Investigating Officer shall strictly follow the guidelines of the Apex Court rendered in *ARNESH*

KUMAR Vs. STATE OF BIHAR (¹) and also follow the provision under Section 41-A Cr.P.C. towards the petitioners. In turn, the petitioners shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, this Criminal Petition is disposed of.

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

JUSTICE U.DURGA PRASAD RAO

Dated 27th April, 2018.

Dvs



¹ 2014 (3) ACR 2670 (SC)

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Dvs