

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 7236 OF 2018

ORDER:

In this criminal petition filed under Section 482 of Cr.P.C., the petitioner-accused No. 3 seeks to quash the proceedings against him in crime No. 94 of 2018 of Keesara Police Station, Rachakonda, registered for the offences punishable under Sections 420, 406, 408 and 120-B read with Section 34 of IPC.

2. The brief averments in the compliant are that the petitioner and accused Nos. 1 and 2 represented themselves as the representatives of accused No. 4 and assured that a financial loan will be arranged to respondent No. 2- *de facto* complainant and for that, they obtained from respondent No. 2 Rs.48,00,000/- as security. They neither arranged the loan nor returned the amount.

3. The submission of learned counsel for the petitioner is that the petitioner is neither an employee nor the representative of accused No. 4 and he is unnecessarily implicated in this case.

4. Investigation is reported to be pending. It is too early to say whether the petitioner is an employee cum representative of accused No. 4 company or he is nothing to do with the said company. This fact has to be exhumed after through examination. Therefore, in the considered view of this Court, the investigation shall lead to its logical conclusion. However, the investigating officer during the course of investigation shall scrupulously follow the guidelines rendered by the Hon'ble Apex

Court in *Arnesh Kumar Vs. State of Bihar*¹ and also follow the procedure contemplated under Section 41-A of Cr.P.C. The petitioner in turn shall cooperate with the investigating agency for smooth completion of the investigation.

5. The criminal petition is disposed of accordingly. Pending miscellaneous petitions, if any, shall stand closed in consequence.

12-07-2018.

U.DURGA PRASAD RAO, J.

Note:

Issue C.C. by tomorrow.

B/O

JSK



¹ (2014) 8 SCC 273