

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.230 of 2019

ORDER :

Impugning the First Information Report in Crime No.73 of 2018, registered by the Adilabad (R) Police Station, Adilabad District, for the offences punishable under Section 379 IPC, Sections 3 and 4 of the PDPP Act and Sections 20 and 29 of the T.S. Forest Act, on the report of the 2nd respondent-*de facto* complainant, the petitioner/A.2 filed the quash petition.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the 1st respondent-State in opposing the same, before ordering notice to the 2nd respondent and before admission. Perused the First Information Report and quash petition averments.

3. A perusal of the First Information Report and quash petition averments no way entitles this Court to quash the proceedings or admit by keeping the matter pending, but for to say for none of the offences are punishable above seven years, the police strictly follow Section 41-A Cr.P.C., and also the guidelines as held by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹.

4. Accordingly and in the result, the criminal petition is disposed of without prejudice to any future defence of the petitioner.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

24.01.2019
kvrn

¹ (2014) 8 SCC 273