

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No. 889 of 2019

ORDER :

Impugning the First Information Report in Crime No. 08 of 2019 registered by the Sub-Inspector of Police, Musheerabad Police Station, Hyderabad district for the offences punishable under section 379 and 411 of I.P.C. on the report of the second respondent-defacto complainant, D. Santosh, the petitioner herein, who is Receiver/A-8 in the above crime, filed the present quash petition, seeking to quash the proceedings in the aforesaid FIR.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the respondent-State in opposing the same, 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 shall strictly follow Section 41-A Cr.P.C., and also the guidelines as held by the Hon'ble Apex Court in *Arnesh Kumar Vs. State of Bihar*.¹

¹ (2014) 8 SCC 273

4. Accordingly and in the result, the criminal petition is disposed of without prejudice to any future defence of the petitioner herein, who is A-8 in the above crime.

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

Dr . JUSTICE B . SIVA SANKARA RAO, J

21/02/2019
I s L



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[*R E S U L T* :: 41-A Cr.P.C. *D I S P O S E D* *O F*]

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