

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CRIMINAL PETITION No.3475 of 2019

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in FIR No.33 of 2019 of Madaram Police Station, Tandur Mandal, Mancherial District, registered against the petitioner/A.1 for the offence punishable under Section 420 read with Section 34 of IPC.

The allegation levelled against the petitioner is that he received Rs.3.00 lakhs from the *de-facto* complainant promising to provide a job for him and in token thereof the petitioner gave a signed paper and one cheque to the *de facto* complainant. Thereafter when demanded about the job or in the alternative to return the amounts, he evaded to do so. Hence the complaint.

Heard Sri Kondadi Ajay Kumar, learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor appearing for respondent No.1 – State.

Having heard learned counsel for the petitioner/A.1 and the learned Additional Public Prosecutor, this Court is not satisfied with the various contentions raised by the petitioner/A.1, particularly the contention that the matter is of civil nature.

Having regard to the facts and circumstances of the case, this Court is of the view that this is a fit case where the procedure prescribed under Section 41-A Cr.P.C. and the guidelines

prescribed by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹ are to be followed.

In that view of the matter, the Criminal Petition is disposed of directing the Investigating Officer to abide by the directions of the Apex Court as set out in ***Arnesh Kumar's*** case (*supra*) and conclude investigation in accordance with law.

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

JUSTICE CHALLA KODANDA RAM

Date: 02.07.2019.
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¹ AIR 2014 SC 2756

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