

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.4993 of 2019

ORDER:

This petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.112 of 2016 on the file of Afzalgunj Police Station, Hyderabad District, registered for the offences under Sections 448, 506 read with Section 34 IPC and under Section 3(1)(x) of SCs & STs (POA) Act, against the petitioners/A1 to A3.

2. Though the petitioners have raised several grounds to quash the aforesaid proceedings, learned counsel for the petitioners restricts his prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A of the Code of Criminal Procedure and the guidelines prescribed by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹.

3. Learned Additional Public Prosecutor would submit that the directions of the Apex Court have to be followed and implemented.

4. In that view of the matter, the Criminal Petition is disposed of directing the police concerned to follow the procedure under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in ***Arnesh Kumar's case (supra)***. However, no coercive steps shall be taken against the petitioners/A1 to A3 till filing of the final report.

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

G. SRI DEVI, J

4th December, 2019
sj

¹ AIR 2014 SC 2756