

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.6995 OF 2019

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure seeking quashing of investigation in Crime No.159 of 2019 of P.S. Kalwakurthy, Nagarkurnool District, registered against the petitioners/A-1 and A-2 for the offences punishable under Section 379 of the Indian Penal Code and Section 21(1) of the MMDAR Act.

Though the learned counsel for the petitioners/A-1 and A-2 filed the present petition for quashing of investigation in Crime No.159 of 2019, he 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.

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

In that view of the matter, the Criminal Petition is disposed of directing the police to abide by the directions of the Apex Court as set out in ***Arnesh Kumar case (supra)***. No coercive steps shall be taken against the petitioners/A-1 and A-2 till filing of the final report.

¹ AIR 2014 SC 2756

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

(G. SRI DEVI, J)

5th November 2019
RRB

