

HONOURABLE JUSTICE G. SRI DEVI

Writ Petition No.27869 of 2019

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking to declare the action of the 3rd respondent in registering a case in Cr.No.859 of 2019 on the file of Pet Basheerabad Police Station, Cyberabad District, for the offences under Sections 406 and 420 IPC, against the petitioner/A1.

2. Though the petitioner has raised several grounds to quash the aforesaid proceedings, learned counsel for the petitioner 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 another¹**.

3. Learned Government Pleader for Home, appearing for respondents 1 to 3, would submit that the directions of the Apex Court have to be followed and implemented.

4. In that view of the matter, the Writ Petition is disposed of, directing the 3rd respondent-Station House Officer, Pet Basheerabad Police Station, Cyberabad District, 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 petitioner/A1 till filing of the final report.

5. Accordingly, the Writ Petition is disposed of. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

JUSTICE G. SRI DEVI

16th December, 2019
sj

¹ AIR 2014 SC 2756

