

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.682 of 2020

ORDER:

This petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.37 of 2020 on the file of Palvoncha Town Police Station, Kothagudem District, registered for the offences under Sections 447, 427, 143 read with Section 149 IPC and under Section 3 of PDPP Act, against the petitioner/A13.

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 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 petitioner/A13 till filing of the final report.

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

G. SRI DEVI, J

30th January, 2020.
sj

¹ AIR 2014 SC 2756