

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.1006 of 2020

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused seeking to quash the proceedings against him in Crime No.48 of 2020 of Bhainsa Town Police Station, Nirmal, registered for the offence punishable under Section 153 A read with 34 I.P.C.

2. Heard the learned counsel for the petitioner/Accused, the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though the learned counsel for the petitioner/Accused filed the present petition for quashing the investigation in the aforesaid crime, he restricts his prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A Cr.P.C. and follow the guidelines prescribed by the Apex Court in **Arnesh Kumar v. State of Bihar and another**¹.

4. Under these circumstances, the Station House Officer, Bhainsa Town Police Station, Nirmal, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken against the petitioner/accused till filing of the final report.

¹ AIR 2014 SC 2756

5. With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

JUSTICE G.SRI DEVI

12th February, 2020

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Date:12.02.2020

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