

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4722 OF 2020

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.174 of 2018 pending on the file of Begumbazar Police Station, Hyderabad city. Petitioners/A-2 to A-5 are accused in the said crime. The offences alleged against the petitioners are under Sections 420, 468 and 471 of IPC.

2. Heard learned counsel for the petitioners as well as the learned Public Prosecutor. Perused the record.

3. This crime was registered on the complainant lodged by the defacto complainant on 02-11-2018. There is no explanation much less plausible explanation by the Police with regard to the delay in completing the investigation and filing of charge sheet. A perusal of the complaint, dated 02-11-2018 would reveal that there are disputes between the petitioner and the 2nd respondent, which are civil in nature, with regard to a property.

4. Considering the said aspects and also the fact that the punishment for the offences alleged against the petitioners is imprisonment for seven years and below seven years and also the fact there there is delay in completion of investigation and filing of charge sheet by the Police, this Criminal Petition is disposed of directing the Police, Begumbazar Police Station, Hyderabad city, to follow the procedure laid down under Section 41-A Cr.P.C., and also the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar and another**¹. Till completion of investigation and filing of

¹

(2014) 8 SCC 273

charge sheet, the Police are directed not to arrest the petitioners – Accused Nos.2 to 5 in the above said crime.

Miscellaneous petitions, pending if any, shall stand closed.

K. LAKSHMAN, J

October 06, 2020

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