

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.4910 OF 2020

ORDER:

This application is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.13 of 2020, pending on the file of Station House Officer, Kamalapur Police Station, Warangal district. The petitioners are Accused Nos.1, 2 and 7 in the above said crime. The offences alleged against the petitioners are under Sections 354(1), 501(b) read with Section 34 IPC and Section 67D of IT Act.

2. Heard the learned counsel for petitioners and the learned Public Prosecutor and perused the record.

3. It appears that there are disputes between 2nd respondent and A6 in the above crime with regard to her marriage. The 2nd respondent has lodged a complaint on 10.1.2020 before the Hanamakonda Police Station against Enugula Thirupathi, relative of petitioners herein. The said complaint was registered as F.I.R.No.23 of 2020 under Sections 366, 376, 496, 506, 347 and 417 IPC. One Enugala Madhu, relative of petitioners herein has lodged a complaint before Kamalapur Police Station, Warangal Commissionerate on 11.9.2020 against one Enugala Kumar and others and the Police have registered said crime as F.I.R.No.139 of 2020 under Sections 324, 506, 307 read with Section 34 IPC.

4. It appears that there are disputes between the petitioners and other accused and also 2nd respondent with regard to the said marriage.

5. Considering the said fact, and also the fact that the punishment prescribed for the offences alleged against the petitioners is imprisonment of seven years or below seven years, the Criminal Petition is disposed of directing the Police, Kamalapur Police Station, Warangal Commissionerate, to follow the procedure laid under Section 41-A of Cr.P.C., and also the guidelines issued by the Apex Court in **Arnesh Kumar v. State of Bihar and another**¹. The Police are further directed not to arrest the petitioners herein till completion of investigation and filing of final report.

Miscellaneous petitions pending, if any, shall stand closed.

Date: 12.10.2020
DA

K. LAKSHMAN, J

¹ (2014) 8 SCC 273