

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.5906 of 2021

ORDER:

This criminal petition is filed seeking to quash the proceedings in Crime No.433 of 2021 pending on the file of Pet Basheerabad Police Station, Cyberabad Commissionerate, registered for the offences punishable under Sections 448, 427 and 323 read with 34 of I.P.C.

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

3. As per the complaint, dated 25.04.2021, the allegations against the petitioners herein/accused Nos.1 and 2 are that they along with 10 to 15 members illegally trespassed into the house of respondent No.2 herein and attacked her family and beat her.

4. A perusal of the record would reveal that there are several disputes pending between the parties with regard to the very same property. All the offences alleged against the petitioners herein are bailable offences. Thus, there are several factual aspects to be investigated into by the Investigating Officer during the course of investigation.

5. Considering the said facts, the Criminal Petition is disposed of directing the Investigating Officer in Crime No.433 of 2021 pending on the file of Pet Basheerabad Police Station, Cyberabad Commissionerate, to follow the procedure laid down 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 petitioners shall co-operate with the investigating officer by furnishing the information and documents as sought by him in concluding the investigation.

Miscellaneous applications, pending if any, shall stand closed.

K. LAKSHMAN, J

Date: 29.07.2021

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¹ (2014) 8 SCC 273