

THE HONOURABLE SRI JUSTICE K. LAKSHMAN

CRIMINAL PETITION No.2938 of 2022

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.66 of 2022 of Sadasivpet Police Station, Sangareddy district, registered for the offences under Sections 452 and 354A of IPC. The petitioner herein is sole accused in the said Crime.

2. Heard learned counsel for the petitioner and learned Public Prosecutor. Perused the Record. With their consent this Criminal Petition is disposed of, at the admission stage.

3. In the complaint dated 10-03-2022 the 2nd respondent alleged that the petitioner herein caught hold of her hand and misbehaved with her. On receipt of the said complaint, the Inspector of Police, Sadasivpet Police Station registered the subject crime for the offences under

Sections 452 and 354-A of IPC, whereas in the F.I.R. in column No.12 offences are mentioned as under Sections 452 and 448 of IPC. Therefore, there is discrepancy with regard to said offences.

4. Learned counsel for the petitioner would submit that it is open clinic and the petitioner never went to the clinic of the 2nd respondent and she has implicated him in a false case. Thus, there are several factual aspects to be investigated into by the Investigating Officer during the course of investigation. The punishment prescribed for both the offences i.e., offences under Sections 452 and 448 of IPC is below 7 years. In view of the said discussion, this Court is not inclined to quash the proceedings in Crime No.66 of 2022 pending on the file of Sadasivpet Police Station.

5. However, this Criminal Petition is disposed of, directing the Investigating Officer in Crime No.66 of 2022 pending on the file of Sadasivpet Police Station,

Sangareddy district, to strictly follow the procedure prescribed in Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar v. State of Bihar**¹. However, the petitioner shall cooperate with the Investigating Officer by furnishing information and documents, if any, as sought by him in concluding the investigation.

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

March 31, 2022

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K. LAKSHMAN, J

¹ (2014) 8 SCC 273

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