

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

**:PRESENT:
THE HON'BLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 11607 OF 2022

Between:

Koneru Gandhi, S/o. K.Hanmanth Rao,

Petitioner/Accused

AND

1. The State of Telangana, Rep. by Public Prosecutor, High Court of Telangana at Hyderabad.
2. Guduru Krishna, S/o. Satyanarayana, Plot No. 7, H.No. 8-1-405/V7, Dream Valley, Near OU Colony, Shaikpet, Hyderabad.

Respondent/Complainant

Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the petition, the High Court may be pleased to call for the records pertaining to FIR. No.219 of 2022, Dt. 17.10.2022, Central Crime Station Hyderabad, and quash the same;

IA NO: 1 OF 2022:

Petition under Section 482 of Cr.P.C., praying that in the circumstances stated in the petition, the High Court may be pleased to stay of all further proceedings in FIR. No.219 of 2022 dt.17.10.2022, Central Crime Station Hyderabad, including the arrest of the Petitioners/Accused, pending disposal of Cr.P. No. 11607 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed therein, and upon hearing the arguments of Sri D.Y.N.L.N. Charyulu, Advocate for the Petitioners, and of the Public Prosecutor, for the Respondent, the Court made the following.

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11607 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused to quash the proceedings against him in FIR No.219 of 2022 pending on the file of Station House Officer, Central Crime Station Police Station, Hyderabad. The offences alleged against him are under Sections 406, 420 120(B) read with 34 of Indian Penal Code (for short "IPC").

2. Heard both sides.

3. After arguing sometime, learned counsel for the petitioner confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for reason of the offences alleged against the petitioner is punishable less than seven (07) years.

4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is disposed off directing

the Investigating Officer in FIR No.219 of 2022 pending on the file of Station House Officer, Central Crime Station Police Station, Hyderabad. The offences alleged against him are under Sections 406, 420 120(B) read with 34 of Indian Penal Code (for short "IPC") to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation. Needless to say, the petitioner shall assist Investigating Officer with the investigation, failing which, police are at liberty to invoke the procedure under Section 41-A(3) and 41-A(4).

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

(2014) 8 SCC 273

//TRUE COPY//

Sd/-T.SRINIVAS
DEPUTY REGISTRAR
SECTION OFFICER

To

1. The XII Addl. Chief Metropolitan Magistrate, at Nampally, Hyderabad.
 2. The Station House Officer, PS Central Crime Station, Hyderabad.
 3. Two CCs to Public Prosecutor, High Court of Telangana, at Hyderabad (OUT)
 4. One CC to Sri D.Y.N.L.N. Charyulu, Advocate (OPUC)
 5. One Spare copy
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HIGH COURT

DATED:23-12-2022

ORDER

CRLP.No.11607 of 2022



DISPOSING OFF THE CRL.P.

⑦ VLV
24/12/22