

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11893 OF 2022

Between:

1. Smt. Asra-ul-haq, W/o. Mr. Noor-ul-haq, Aged 50 years, Occ: Housewife, R/o. H. No. 8-2-579, Road no.8, Banjara Hills, Hyderabad.
2. Smt. Karuna Kumari, D/o.Late Arjun Rao, Aged 49 Years, Occ: Housewife, R/o. H. No. 8-2-579, Road no.8, Banjara Hills, Hyderabad.

...Petitioner/Accused No.1 & 2

AND

1. The State of Telangana, Represented by Public Prosecutor, High Court Building, High Court Hyderabad

...Respondent/Respondent

2. Sri Mir Dawar Ali Baquri, S/o. Late Mir Raza Ali Baquri, Aged 47 years, Occ: Not Known to the Petitioners, R/o. 22-2-123, Second Floor, Komatwadi, Near Government High school, Dabeerpura.

...Respondent/Complainant

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to QUASH the proceedings in Crime No. 675/2022 of PS Panjagutta, on the file of Honble XIV ACMM AT Nampally against the Petitioners/Accused No. 1 and 2.

I.A. NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to STAY all further proceedings in Crime No. 675/2022 of PS Panjagutta, on the file of Hon'ble XIV ACMM AT Nampally against the Petitioners/Accused No. 1 and 2.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MAHESH RAJE, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.11893 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 petitioners-Accused Nos.1 and 2 to quash the proceedings against them in FIR No.675 of 2022 pending on the file of Station House Officer, Panjagutta Police Station, Hyderabad. The offences alleged against them are under Sections 420 and 406 of Indian Penal Code (for short "IPC").

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioners confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for the reason of the offences alleged against the petitioners are punishable less than seven (07) years.
4. In view of the aforesaid submission of the learned counsel for the petitioners, this Criminal Petition is disposed of directing

the Investigating Officer in respect of FIR No.675 of 2022 pending on the file of Station House Officer, Panjagutta Police Station, Hyderabad, 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***¹. The petitioners shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- T. JAYASREE
ASSISTANT REGISTRAR

20/1/23
SECTION OFFICER

To,

1. The XIV Additional Chief Metropolitan Magistrate at Nampally, Hyderabad
2. The Station House Officer, Punjagutta Police Station, Hyderabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to Sri. MAHESH RAJE, Advocate [OPUC]
5. Two CD Copies

PSR

21/1/23

¹ (2014) 8 SCC 273

HIGH COURT

KS,J

DATED:30/12/2022

ORDER

CRLP.No.11893 of 2022



DISPOSING OF THE CRIMINAL PETITION

8
11/1/23
HvX