

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

**MONDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1441 OF 2023

Between:

Srinivas Gaskanti, S/o G. Ramulu, Age: 30 Years, Occ. Private Employee,
R/o H.no.1-85,Guthpala, Mandal. Bhorigam, Dist. Adilabad

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep by the Public Prosecutor, High Court of
Judicature at Hyderabad.

...1st RESPONDENT/STATE

2. Sravani Gunde D/o Agaiah Aged. 26 years, Occ. Private Employee, R/o.
Rangaraigudem Village, Mandal: Ghanpur(Stn) Dist: Warangal

...2nd 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 call for the records relating to the Cr.No. 13/2023 on the file of Ghanpur (W) Police Station, Warangal District and to quash the same.

I.A. NO: 2 OF 2023

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 grant stay of all further proceedings in Cr.No. 13/2023 on the file of Ghanpur (W) Police Station, Warangal District, pending disposal of the Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri RUDRESH DESHPANDE, 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.1441 OF 2023****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.13 of 2023 pending on the file of Station House Officer, Ghanpur(W) Police Station, Warangal. The offences alleged against him are under Sections 417 and 420 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 the reason of the offences alleged against the petitioner are 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 of directing

the Investigating Officer in respect of FIR No.13 of 2023 pending on the file of Station House Officer, Ghanpur(W) Police Station, Warangal, 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 petitioner 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.

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Additional Judicial First Class Magistrate at Jangaon
2. The Station House Officer, Ghanpur(W) Police Station, Warangal
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. RUDRESH DESHPANDE, Advocate [OPUC]
5. Two CD Copies

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[Handwritten signature]

¹ (2014) 8 SCC 273

HIGH COURT

DATED: 13/02/2023



ORDER

CRLP.No.1441 of 2023

DISPOSING OF THE CRIMINAL PETITION

8
25/2/23
JWS