

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

**TUESDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1744 OF 2023

Between:

Rohit Pal Singh, S/o. Late Jaipal Singh, Aged 33 Years, Occ: Advocate, R/o.
H.No. 23-4-571, Sultan Shahi, Hyderabad.

...Petitioner/Accused No.4

AND

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

...Respondent/Respondent No.1

2. M. Kalavathi, D/o. Late M. Sreeramulu, Aged 74 Years, Occ: House Hold,
R/o. H. No. 13-4-238, Asif Nagar, Hyderabad.

...Respondent/Defacto 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 against Petitioner/Accused No.4 in FIR/Crime No.27 of 2023 dated 14-02-2023, for the offences under section 420, 406 & 448 R/w. 34 of IPC of PS Mogalpura on the file of VIII Additional Metropolitan Magistrate, Hyderabad, At. Nampally.

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 stay all further proceedings against Petitioner/Accused No.4 in FIR/Crime No.27 of 2023 dated 14-02-2023, for the offences under section 420, 406 and 448 R/w. 34 of IPC of PS Mogalpura on the file of VIII Additional Metropolitan Magistrate, Hyderabad, At. Nampally.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri YAKARAPU SHEELU, Advocate for the Petitioner and the Additional 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.1744 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 No.4 to quash the proceedings against him in FIR No.27 of 2023 pending on the file of Station House Officer, Moghalpura Police Station, Hyderabad. The offences alleged against the petitioner are under Sections 420, 406 and 448 of Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent No.1 – State.

3. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioner are up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.27 of 2023 pending on the file of Station House Officer, Moghalpura Police Station, Hyderabad, to follow the procedure laid down under Section 41-A Cr.P.C and also the guidelines formulated by the Hon'ble Supreme Court in ***Arnesh***

Kumar v. State of Bihar¹scrupulously. The petitioner shall co-operate with the Investigating Officer in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- L. SIVA PARVATHI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VIII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Moghalpura Police Station, Hyderabad District.
3. Two CCs to Additional Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to SRI. YAKARAPU SHEELU, Advocate [OPUC]
5. Two CD Copies

PSR 

¹ (2014) 8 SCC 273

HIGH COURT

DATED:21/02/2023

ORDER

CRLP.No.1744 of 2023



DISPOSING OF THE CRIMINAL PETITION.

(2)
M.A.
22/2/23