

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

FRIDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

**PRESENT
THE HONOURABLE SRI JUSTICE K.SURENDER**

CRIMINAL PETITION NO: 2408 OF 2023

Between:

Kandakatla Siddi Reddy, S/o Krishna Reddy, A/a 45 years, Occ. Business, R/o 6-130/2, Aravind Colony, Near LBM School, Kapugadda, Shamshabad Village and Mandal

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court for the State of Telangana, at Hyderabad.
2. Mr. Amith Kumar Patel, S/o. Ghansham Patel, A/a 35 years, Occ. Business, Villa No.41, Splendid Aparnas Palm Meadows, Kompally, Hyderabad - 500014

...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 all further proceedings of the FIR No. 116 of 2023, on the file of RGI Airport, Shamshabad, Rangareddy District against Accused, by call for records

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 in FIR/Cr. No. 116 of 2023, on the file of RGI Airport, Shamshabad, Rangareddy District including appearance and arrest of Accused, 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 ASAD HUSSAIN, Advocate for the Petitioner and of 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.2408 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.116 of 2023 pending on the file of Station House Officer, Rajiv Gandhi International Airport Police Station, Shamshabad, Ranga Reddy district registered for the offence punishable under Sections 447,427 and 506 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner – Accused and learned Additional Public Prosecutor for the respondent No.1– State. Perused the material on record.

3. The respondent No.2 filed a complaint against this petitioner stating that petitioner along with some others trespassed into his land and damaged the compound wall. It appears from the complaint that the petitioner and respondent No.2 are neighbours and have disputes over the boundary. Due to the said reason, since boundary disputes would be determined by the Civil Court, this

Court deems it appropriate to direct the Investigating Officer in respect of FIR No.116 of 2023 pending on the file of Station House Officer, Rajiv Gandhi International Airport Police Station, Shamshabad, Ranga Reddy district, to conclude the investigation without taking any coercive steps against the petitioner – Accused till completion of investigation, by strictly following 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. However, the petitioner shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

¹ (2014) 8 SCC 273

//TRUE COPY//

Sd/-K.AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Court of Hon'ble XII Additional Metropolitan Magistrate, at Rajendranagar, Cyberabad.
2. The Station House Officer, RGI Airport, Police Station, Shamshabad, Ranga Reddy District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to Sri Asad Hussain, Advocate [OPUC]
5. Two CD Copies

Kj.
9

HIGH COURT

DATED:10/03/2023

ORDER

CRLP.No.2408 of 2023



DISPOSING OF THE CRL.P.

② Copies
Sm
28/3/23