

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

**WEDNESDAY ,THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 3921 OF 2023

Between:

Sri Sreenaiah, S/o. Sri Chandraiah, aged about 30 years Occ. service, Office
at 1-10-85/4 Sheshagutta, Mehaboobnagar.

...PETITIONER/PETITIONER

AND

1. The State of Telangana, represented by Public Prosecutor High Court,
Hyderabad.
2. Sri Rameshwar, S/o. Sri Kasaiah, aged about 58 years Occ . service,
Additional SP DPO, Nagarkurnool.

...RESPONDENTS/RESPONDENTS

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 pass an order quashing the proceedings in the case in Crime
No.121/2023 before the II Town police station, Mahaboobnagar against the
petitioner for the alleged offences punishable under Sections 406, 418, 465, 420
and 506 of the Indian Penal Code, 1860.

I.A. NO: 1 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 pass an order staying all further proceedings in the case in Crime
No.121/2023 before the II Town Police Station, Mahaboobnagar, against the
petitioner ' accused, including investigation, arrest and appearance of the

petitioner / accused, pending disposal of the above Criminal Petition, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s. Shyam S Agrawal, Advocate for the Petitioner and the Additional Public Prosecutor (TG) 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.3921 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 respect of FIR No.121 of 2023 pending on the file of Station House Officer, Mahabubnagar II Town Police Station, Mahabubnagar, filed for the offences punishable under Sections 406, 418, 465, 420 and 504 of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the material on record.

3. The 2nd respondent – *de facto* complainant filed a complaint stating that in the arbitration proceedings, a postal receipt was fabricated. The petitioner who is an employee in M/s. Kapil Chit Fund (Hyderabad Private Limited), was appearing on behalf of Kapil Chits.

4. Since the petitioner is an employee of the said Kapil Chits and as he is representing on behalf of M/s. Kapil Chit Fund (Hyderabad Private Limited), there cannot be any vicarious liability against the petitioner as far as criminal provisions are concerned, for which reason, this Court deems it appropriate to direct the Investigating Officer in respect of FIR No.121 of 2023 of Mahabubnagar II Town Police Station, Mahabubnagar, to conclude investigation without taking any coercive steps against the petitioner – accused, by considering the above aspect. Further, the petitioner – accused shall co-operate with the Investigating Officer as and when required for the purpose of investigation.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

SD/- B. CHANDRA PRAKASH
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

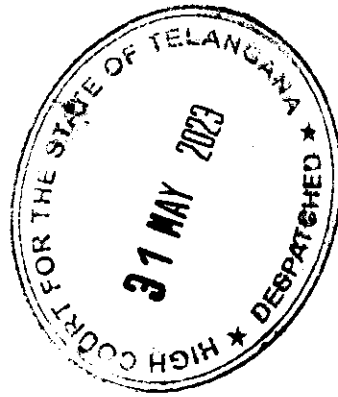
1. The III Additional Judicial First Class Magistrate at Mahabubnagar.
2. The Station House Officer, Mahabubnagar-II Town P.S, Mahabubnagar District.
3. One CC to M/s. Shyam S Agrawal, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
5. Two CD Copies

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HIGH COURT

DATED: 19/04/2023



ORDER

CRL.P.No.3921 of 2023

DISPOSING OF THE CRIMINAL PETITION

⑧ 6018
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22/5/23