

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

**FRIDAY THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE G.ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION NO: 5316 OF 2023

Between:

M/s. A.S Leasing and Finance Limited., Having its office at. H.No. 6-3-596/72,
Naveen Nagar, Behind Taj Krishna, Hyderabad, Rep., by Sunil Kumar Ahuja.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Rep., by its Public Prosecutor, High court for the state of Telangana. **...RESPONDENT**
2. Nallapu Prabhakar Reddy, S/o Not Known to petitioner. Aged. Not known to Petitioner, Occ. Managing Director of M/s. Naolin Projects Private Limited, R/o. 6-3-1090/1/1. Uma Hyderabad House, Raj Bhavan Road, Somajiguda, Hyderabad. **...RESPONDENT/DE-FACTO 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 the petitioner/ Accused No. 3 in Cr.No. 162 of 2023 on the file of SHO, Central Crime Station, Hyderabad.

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 the petitioner/ Accused No. 3 in Cr.No. 162 of 2023 on the file of SHO, Central Crime Station, Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri T. BALA MOHAN REDDY, Advocate for the Petitioner and the SRI S. GANESH, Assistant Public Prosecutor on behalf of the Respondent No.1 and none appeared for the Respondent No. 2.

The Court made the following:

THE HON'BLE SMT. JUSTICE G. ANUPAMA CHAKRAVARTHY

CRIMINAL PETITION No.5316 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.3 to quash the proceedings against him in FIR No.162 of 2023 on the file of Station House Officer, INSP, ADMIN (DD), Hyderabad. The offences alleged against the petitioner are punishable under Sections 420 read with 34 of Indian Penal Code.

2. Heard learned counsel for the petitioner and Sri S.Ganesh, learned Assistant Public Prosecutor for the respondent No.1 – State.

3. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioners are up to seven years, this Court deems it appropriate to direct the Investigating Officer in FIR No.162 of 2023 on the file of Station House Officer, INSP, ADMIN (DD), Hyderabad, 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 Bihar¹ scrupulously. Further, the petitioner-accused No.3 is directed to appear before Investigating Officer on 22.06.2023 between 02:00 p.m. to 04:00 p.m. and 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/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, INSP ADMIN (DD), Hyderabad.
3. One CC to SRI. T. BALA MOHAN REDDY, Advocate [OPUC]
4. One CC to SRI S. GANESH, Assistant Public Prosecutor [OPUC]
5. Two CD Copies

DL

¹ (2014) 8 SCC 273

HIGH COURT

DATED:16/06/2023

ORDER

CRLP.No.5316 of 2023



Crl.P is disposed off

[Handwritten signature]
16/06/2023