

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11053 OF 2023

Between:

1. Aftab Ali Khan, S/o Ayub Ali Khan, Aged about 40 yrs, Occ Business, R/o Near A1 - Aman Hotel, Baroda Bank Line, Chanchalguda, Dabeerpura, Hyderabad
2. Ayub Ali Khan, , S/o Captain Dawood Ali Khan, Aged about 62 yrs, Occ Business, R/o Near A1 - Aman Hotel, Baroda Bank Line, Chanchalguda, Dabeerpura, Hyderabad

.....PETITIONERS/ACCUSED NO 1 & 3

AND

1. The State of Telangana,, Rep. by Public Prosecutor, High Court of Telangana, Hyderabad
2. Rubina Begum,, S/o Late Mohammed Abdul Khadar, Aged about 20 yrs Occ Household, R/o H.No.14-254, Wadi-E-Saleheen, Shaheennagar, Balapur, Ranga Reddy District, Telangana

.....RESPONDENTS/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 in F.I.R.No.200 of 2023 On the file of the Kothur Police Station in so far as the petitioner/accused no.1 and 3 is concerned

LA 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 including personal appearance of the petitioner/accused no.1 and 3 in F.I.R.No.200 of 2023 On the file of the Kothur Police Station, pending disposal of the above Criminal Petition

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri BATHULA RAJ KIRAN ,Advocate for the Petitioners, Additional ~~and~~ the Public Prosecutor on behalf of the Respondent No.1 and of None appeared for the Respondent No. 2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11053 OF 2023

ORDER:

1. This Criminal Petition is filed under Section 482 of Cr.P.C. by the petitioners/Accused Nos.1 to 3 seeking to quash the proceedings in F.I.R.No.200 of 2023 on the file of the Kothur Police Station, Cyberabad, registered for the offences punishable under Sections 380, 384, 420, 452, 468, 471, 506 and 509 r/w 34 of the Indian Penal Code.
2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the respondent-State and perused the record.
3. On perusal of the record, since the punishment prescribed for the offences alleged against the petitioners is up to seven years, this Court deems it appropriate to direct the Investigating Officer in F.I.R.No.200 of 2023 on the file of the Kothur Police Station, Cyberabad, 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 Bihar*¹ scrupulously. The petitioners shall co-operate with the

¹ (2014) 8 SCC 273

Investigating Officer by furnishing information and documents as sought in concluding the investigation.

4. Accordingly, the Criminal Petition is disposed off.

Miscellaneous applications pending, if any, shall stand closed.

**SD/-C.PRAVEEN KUMAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Judicial First Class Magistrate, Shadnagar Ranga Reddy District
2. The Station House Officer, Kothur Police Station, Kothur Ranga Reddy District
3. One CC to SRI. BATHULA RAJ KIRAN 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
KSJ
DATED:09/11/2023

ORDER
CRLP.No.11053 of 2023



DISPOSING OF THE CRIMINAL PETITION

8 copies
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12/12/23