

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

MONDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE
PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER
CRIMINAL PETITION NO: 12116 OF 2023

Between:

1. Sri Darur Praveen Kumar Reddy, S/o. Late Padma Reddy, aged about 44 years, Occ: Business, R/o. A-0303, Jayabheri the Summit, Narsingi, Hyderabad.
2. Smt Darur Arpitha, W/o. Sri Darur Praveen Kumar Reddy, aged about 41 years, Occ: Private Service, R/o. A-0303, Jayabheri the Summit, Narsingi, Hyderabad.
3. Sri Challa Srinivas Reddy, S/o. Challa Raji Reddy, aged about 42 years, Occ: Agriculture, R/o. 6-52, Kadavergu village, Cherial Mandal, Siddipet District - 506 223.

...PETITIONER/ACCUSED(S)

AND

1. The State of Telangana, Through The Public Prosecutor, High Court of Judicature at Hyderabad.
2. Sri Gadaraju Sattaiah, S/o. G. Elisha, aged about 65 years, Occ: Agriculture, R/o. Kadavergu Village, Cherial Mandal, Siddipet District - 506 223.

...RESPONDENT/COMPLAINANTS

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 FIR No. 191/2023 dated 06.11.2023 on the file of PS Cherial, Siddipet District.

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 No. 191/2023 dated 06.11.2023 on the file of PS Cherial, Siddipet District.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri J. VENUDHAR REDDY, Advocate for the Petitioner and the 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.12116 OF 2023

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (for short 'Cr.P.C.') by the petitioners – accused Nos.1 to 3 to quash the proceedings against them in FIR No.191 of 2023 on the file of the Station House Officer, Cherial Police Station, Siddipet District. The offences alleged against the petitioners are under Sections 447, 506 and 290 read with Section 34 of the Indian Penal Code (for short 'IPC') and Section 3(1)(r)(s) of the SC/ST POA Act.

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor for respondent No.1 – State and perused the record.
3. It is contended by learned counsel for the petitioners that the petitioners are innocent and a false complaint has been foisted against them by the *de-facto* complainant. Therefore, he prayed to quash the proceedings against the petitioners.

4. On the other hand, learned Assistant Public Prosecutor contended that it is not a fit case to quash the proceedings against the petitioners at this juncture, as the investigation is not yet completed.

5. Taking into consideration that the punishment prescribed for the offences alleged against the petitioners is less than seven (07) years imprisonment, this Court deems it appropriate to direct the Investigating Officer 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. However, the petitioners – accused Nos.1 to 3 shall co-operate with the Investigating Officer as and when required by furnishing the information and documents as sought by him in concluding the investigation.

6. With the above directions, this Criminal Petition is disposed off.

Pending miscellaneous applications, if any, shall stand closed.

1(2014) 8 SCC 273

SD/- P.CH.NAGABHUSHAMBA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Addl. Judicial First Class Magistrate at Siddipet.
2. The SHO, PS Cherial, Siddipet District.
3. Two CC to Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT].
4. One CC to Sri J. VENUDHAR REDDY, Advocate [OPUC].
5. Two CD Copies.

SSR 
NS

HIGH COURT

DATED: 11/12/2023



ORDER

CRLP No. 12116 of 2023

CRIMINAL PETITION IS DISPOSED OFF

8
31/1/24
HVS