

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

**THURSDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 162 OF 2023

Between:

Md. Dastagir, S/o Ahmed, aged about 36 years Occ-Business, r/o 13-25,
Indira Gandhi Nagar Opp. IDPL Colony, Outbullapur, R.R.District.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, through S.H.O., Medchal Police Station, R.R.District,
rep. By Public Prosecutor, High Court, Hyderabad.
2. Smt. Nazeema Begum, W/o Vahedullah, aged 53 years, Occ- Housewife, r/o
H.No. 12-12-183 Ravindra Nagar Colony, Seethapal Mandi, Secunderabad.

...RESPONDENTS/ 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.340 of 2021 on the file of the Medchal Police Station, Cyberabad Commissionerate, R.R.District, and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

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 grant stay of all further proceedings in F.I.R.No.340 of 2021 on the file of the Medchal Police Station, Cyberabad Commissionerate, R.R.District, pending disposal of the Criminal Petition, and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri MADHUSUDHAN P, 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.162 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 FTR No.340 of 2021 pending on the file of Medchal Police Station, Cyberabad Commissionerate, R.R.District. The offences alleged against him are under Sections 420, 468 and 471 read with 34 of Indian Penal Code (for short 'IPC').

2. Heard both sides.
3. After arguing sometime, learned counsel for the petitioner confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for the reason of the offences alleged against the petitioner are punishable less than seven (07) years.
4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is disposed of directing

the Investigating Officer in respect of FIR No.340 of 2021 pending on the file of Medchal Police Station, Cyberabad Commissionerate, R.R.District, to strictly follow 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. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR
GP
SECTION OFFICER

//TRUE COPY//

To,

1. The XXII Additional Metropolitan Magistrate at Medchal, Cyberabad, R.R.Dist.
2. The Station House Officer, Medchal P.S., Cyberabad.
3. One CC to SRI. MADHUSUDHAN P Advocate [OPUC]
4. Two CCs to PUBLIC PROSECUTOR, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

K.AR

BSR

¹ (2014) 8 SCC 273

HIGH COURT

DATED:19/01/2023



ORDER

CRL.P.No.162 of 2023

DISPOSING OF THE
CRIMINAL PETITION

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