IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY ,THE NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 280 OF 2024

Between:

Shaik Ibrahim Patel, S/o.Shaik Mehboob Patel, Aged 44 years, Occ. Business, R/o.H.No.1-8-449/3/25/A/1, Patigadda, Noor Bagh Colony, Begumpet, Hyderabad - 500 003.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court Buildings, High Court, Hyderabad. Through PS, Begumpet, Secunderabad.
2. Smt.Tasleem Begum, W/o.Mohammed Pasha, Aged 32 Years, Occ. Housewife, R/o.1-8-518, NBT Nagar, Patigadda, Begumpet, Secunderabad.

...RESPONDENT/DEFACTO 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 proceedings against petitioner/ accused in Crime No.634 of 2023 of P.S. Begumpet on the file of Hon'ble XI Addl. Chief Metropolitan Magistrate, Secunderabad and pass such other order or orders.

I.A. NO: 2 OF 2024

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 petitioner/accused in Crime No. 634 of 2023 of PS, Begumpet on the file of Hon'ble XI Addl. Chief Metropolitan Magistrate, Secunderabad and pass such other order or orders 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 NAGESHWAR RAO PUJARI ,Advocate for the Petitioner and the Additional Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and none appeared for the Respondent No2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION No.280 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner, who is arrayed as Accused in FIR, seeking to quash the proceedings against him in Crime No. 634 of 2023 on the file of Begumpet Police Station, registered for the alleged offences punishable under Sections 341, and 506 of the Indian Penal Code.

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

3. Without going into the merits of the case, since the punishment prescribed for the offences alleged against the petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 26.01.2024 between 02:00 p.m. and 04:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 41-A Cr.P.C. and also the guidelines formulated by the Hon'ble Supreme Court of India in *Arnesh Kumar* v.

State of Bihar[1] scrupulously. However, the petitioner shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioner shall produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same before filing appropriate report before the learned Magistrate concerned. Till the investigation is completed, no coercive steps shall be taken against the petitioners.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

SD/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

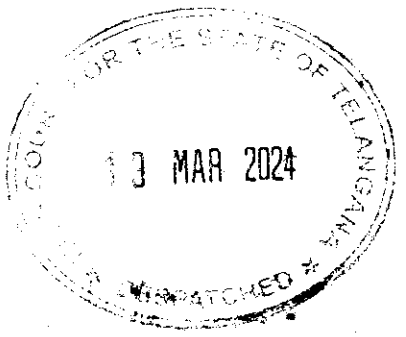
To,

1. The XI Addl. Chief Metropolitan Magistrate,Secunderabad.
2. Two CCs to the Public Prosecutor, High Court of Telangana, Hyderabad.[OUT]
3. One CC to SRI. NAGESHWAR RAO PUJARI, Advocate [OPUC]
4. Two CD Copies

NS

HIGH COURT

DATED:09/01/2024



ORDER

CRLP.No.280 of 2024

DISPOSED OFF

27/2/24.

K.B