

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE SIXTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 1392 OF 2023

Between:

Kiranmai , Kiran Gorge, W/o Nageshwar Rao Ghogre, Aged about 43 years, Occ. Private Employee, R/o H.No.4-31/ 1, Plot No.95/96P, Laxmi Nagar Colony, Gandipet Mandal, VTC Hydershahkote, PO Hydershahkote, Sub-District . Golconda, Hyderabad.,

...Petitioner/A-4.

AND

1. The State of Telangana,, Rep. by its Public Prosecutor, High Court at Hyderabad.Respondent/Respondent.
2. T.Sridhar,, S/o Late T.Y.Sambaiah, Aged about 49 years, Occ. Auto Driver, R/o H.No.1-2-56/ 76, Tallabasthi, Domalguda, Hyderabad. T.S
...Respondent/Defacto 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 FIR vide Crime No.18 of 2023 dated 21-01-2023 of Police Station Central Crime Station, Hyderabad District, against the Petitioner /A-4.

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 of all further proceedings in FIR vide Crime No.18 of 2023 dated 21-01-2023 of Police Station Central Crime Station, Hyderabad District, against the Petitioner/A-4; pending disposal of the Main Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri A.R. Anagha Advocate for the Petitioner and Sri S. Ganesh, Assistant Public Prosecutor on behalf of the Respondent No.1, and Respondent No.2 is not appearing either in person or by Advocate.

The Court made the following ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.1392 of 2023

ORAL ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') to quash the proceedings against the petitioner/accused No.4 in Crime No.18 of 2023 dated 21.01.2023 of Hyderabad Police Station, Central Crime Station, registered for the offences punishable under Sections 406, 420 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC').

2. Heard Sri AR Anagha, learned counsel for the petitioner, as well as, Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 - State. None appeared on behalf of respondent No.2/*defacto* complainant.

3. Without going into the merits of the case, since the punishment prescribed for the offence alleged against the petitioners is less than seven (07) years, this Court deems it appropriate to direct the petitioner/accused No.4 to appear before the Investigating Officer on or before 02.05.2024 between 11:00 AM and 05:00 PM., and the Investigating

Officer, inturn, 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 in **Arnesh Kumar Vs. State of Bihar**¹ scrupulously. However, the petitioners shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation. The petitioner/accused No.4 shall submit his defense and file all the documents which he ought to file to prove that it do not come under the criminal offences and the Investigating Officer shall take into account the same and then file the chargesheet.

4. Accordingly, the Criminal Petition is disposed of.

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

1/2014)8 SCC 273

//TRUE COPY//

Sd/- K. AMMAJI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate, at Nampally, Hyderabad.
2. The Station House Officer, Central Crime Station Police Station, Hyderabad.
3. Two CCs to Public Prosecutor, High Court of Telangana, [OUT]
4. One CC to Sri A.R. Anagha, Advocate [OPUC]
5. Two CD Copies.

Jgk/PSR

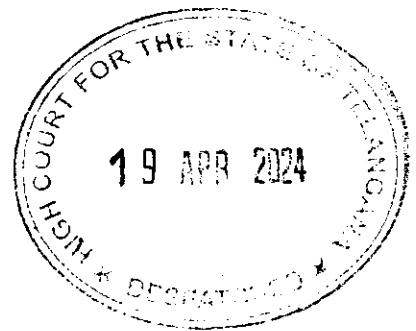


HIGH COURT

DATED:16/04/2024

ORDER

CRLP.No.1392 of 2023



DISPOSING OF THE CRIMINAL PETITION

8

KEMO

01/2/4/2024