

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

**TUESDAY, THE THIRTEENTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION NO: 1655 OF 2024**

**Between:**

1. KMR CONSTRUCTIONS, Rep. by its Managing Partner, Sri Kistipati Mahender Reddy, S/o.Late K. Raghava Reddy, R/o.H.No.6-68/1, Jaggamguda Village, Shameerpet Mandal, Medchal Malkajgiri District.
2. MAHENDER REDDY KISHTIPATHI, S/o.Late K. Raghava Reddy, aged about 53 years, Occ. Business, R/o.H.No.6-68/ 1, Jaganguda Village, Shamirpet Mandal, Medchal Malkajgiri District

**...Petitioner/Accused No.1 & 2**

**AND**

1. The State of Telangana, Through Public Prosecutor, High Court Buildings, at Hyderabad.
2. AHMED KHAN,, S/o.Shareef Khan, aged about 62 years, Occ Business, R/o.H.NO.1-5-564/3/2, Old Alwal, Secunderabad - 500010.

**...Respondents/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 FIR.No.420 of 2023 on the file of P.S. Alwal for the offence under sections 420, 120B, 506 R/w 34 IPC, 156(3) Cr.PC against Petitioner/Accused No.1 and 2 as the same is untenable either on facts or under law.

**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 of all further proceedings in FIR.No.420 of 2023 on the file of P.S. Alwal, Cyberabad for the offence under sections 420,120B, 506 R/w.34 IPC, 156(3) Cr.PC including the arrest of the Petitioner/Accused Nos.1 and 2.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Govardhan Reddy Joundla, Advocate for Sri S. Ganesh, Assistant 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 SMT. JUSTICE K. SUJANA**

**CRIMINAL PETITION No.1655 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 petitioners, who is arrayed as accused Nos.1 and 2 in FIR, seeking to quash the proceedings against them in Crime No.420 of 2023 on the file of Alwal Police Station, Cyberabad District, registered for the alleged offences punishable under Sections 420, 120-B, 506 read with 34 of Indian Penal Code and Section 156(3) of Criminal Procedure Code.

2. Heard Sri J. Govardhan Reddy, learned counsel for the petitioner and Sri S. Ganesh, 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 petitioners is less than seven (07) years, this Court deems it appropriate to direct the petitioners to appear before the Investigating Officer on or before 20.02.2024 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**<sup>1</sup> scrupulously. However, the petitioners shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioners 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.

4. Accordingly, the Criminal Petition is disposed of.

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

**Sd/-P.PAMANABHA REDDY**  
**ASSISTANT REGISTRAR**

//TRUE COPY//

**SECTION OFFICER**

To,

1. The X Metropolitan Magistrate at Medchal Court, Cyberabad, Medchal District.
2. The Station House Officer, Alwal Police Station, Cyberabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Govardhan Reddy Joundla, Advocate [OPUC]
5. **Two CD Copies**

Njb

swt

CHR

<sup>1</sup> (2014) 8 SCC 273