

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

**THURSDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT:

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 2667 OF 2024

Between:

1. Syed Faheem Uddin, S/o Late. Syed Hameed Uddin, Aged about 59 years, Occ: Business, R/o H.No. 12-2-398, Markendiya Nagar, Tallagadda, Asifnagar, Hyderabad.
2. Syed Nadeem Uddin, S/o Syed Faheem Uddin, Aged about 26 years, Occ: Business, R/o H.No. 12-2-398, Markendiya Nagar, Tallagadda, Asifnagar, Hyderabad.

...PETITIONER/ACCUSED No.2 and 3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court at Hyderabad, Through Tappachabutra Police Station, Hyderabad.
2. S Khaja Moinuddin, CEO, Telangana State Wakf Board, Haj House, Nampally, Hyderabad.

...RESPONDENTS/DE-FACTO 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 call for the records in connection with Crime No. 77 of 2024 Dated. 28.02.2024 Under Sections 447, 420, 427 R/w. 34 of IPC; Section 52 (A) of Wakf Act registered on the file of Tappachabutra Police Station, Hyderabad and quash the same against the petitioners/A-2 and A-3 in the interest of justice.

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 grant stay of all further proceedings including the arrest of the Petitioners/A-2 and A-3 in Crime No. 77 of 2024 Dated. 28.02.2024 Under

Sections 447, 420, 427 R/w. 34 of IPC; Section 52 (A) of Wakf Act registered on the file of Tappachabutra Police Station, Hyderabad, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri PRADEEP KUMAR SRIRAMBHATLA, Advocate for the Petitioners and of SRI S GANESH, the Assistant 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.2667 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 are arrayed as accused Nos.2 and 3 in FIR, seeking to quash the proceedings against them in Crime No.77 of 2024 on the file of Tappachbutra Police Station, Hyderabad, registered for the alleged offences punishable under Sections 447, 420, 427 read with 34 of IPC and Section 52(A) of WA.

2. Heard Sri Pradeep Kumar Srirambhatla, learned counsel for the petitioners 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 18.03.2024 between 11:00 a.m. and 05:00 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 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/- V. KAVITHA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The VI Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer, Tappachbutra police station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
4. One CC to SRI. PRADEEP KUMAR SRIRAMBHATLA, Advocate [OPUC]
5. Two CD Copies

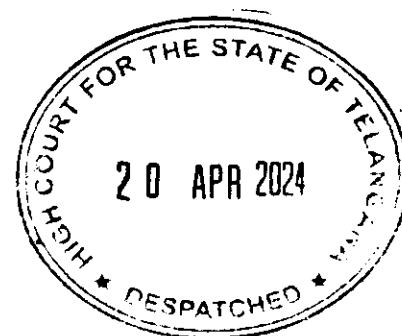
Pr/kam



¹ (2014) 8 SCC 273

HIGH COURT
DATED: 07/03/2024

ORDER
CRLP.No.2667 of 2024



DISPOSING OF
THE CRL.PETITION

8

HMA

20/4/2024