

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

**FRIDAY, THE TWENTY SECOND DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 3310 OF 2024

Between:

K. Priyanka, D/o. K. Ranga Chary, Occ Private Business, Age 33 years, R/o. H. No. 1- 11/6/1/5, Brundavan colony, Ghtakesar Mandal, Boduppal, Rangareddy.

...Petitioner/Accused

AND

1. The State of Telangana, Through its Public Prosecutor, High Court Hyderabad.
2. Gudimella Vanitha, W/o. G. Srinivas, Occ: Private Employee, Age: 37 years, R/o. H. No. 9- 105/7/1, Medipally, Medchal- Malkajgiri.

...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 quash the F. I. R. No. 284 of 2024 dated 11. 03. 2024 U/s. 406, 420, 468, 471 of IPC on the file of P. S. Medipally as one with an intent to abuse process of law and pass such other and further order or orders as this Court deems fit and proper 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 stay all further proceedings in F. I. R. No. 284 of 2024 dated 11-03-2024 U/s. 406, 420, 468, 471 of IPC on the file of P. S. Medipally 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 D. Madhava Rao, Advocate for the Petitioner and of Sri. S. Ganesh, 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.3310 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 No.1 to quash the proceedings against her in FIR.No.284 of 2024 on the file of the Police Station Medipally, Rachakonda District, for the offences punishable under Sections 406, 420, 468 and 471 of the Indian Penal Code, 1860.

2. Heard Sri D. Madhava Rao, learned counsel for the petitioner as well as Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State.

3. Though the learned Assistant Public Prosecutor filed a memo stating that sections are altered by adding Section 467 of IPC in the FIR. Whereas, the contents shows that there is no forgery of the documents, but the petitioner has misused the amount given by the complainant, instead of depositing in the University. Therefore, the offence under Section 467 of IPC is not applicable.

4. 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/accused No.1 to appear before the Investigating Officer on or before 28.03.2024 between 02:00 p.m. and 04:00 p.m. and inturn 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 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 documents as sought by him in concluding the investigation. If the petitioner is not cooperating with the investigation, the Investigating Officer is at liberty to take action in accordance with law. The petitioner/accused No.1 shall file all the documents which she ought to file to prove that it do not come under the criminal offences and the Investigating Officer shall consider the same before filing appropriate report before the Magistrate.

¹ (2014) 8 SCC 273

5. Accordingly, the Criminal Petition is disposed of.

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

SD/- K AMMAJI,
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Junior Civil Judge –cum- IV Additional Metropolitan Magistrate Court, Medchal Malkajgiri District at L.B.Nagar.
2. The Station House Officer, Medipally Police Station, Rachakonda District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri D. Madhava Rao, Advocate [OPUC]
5. Two CD Copies

PSR

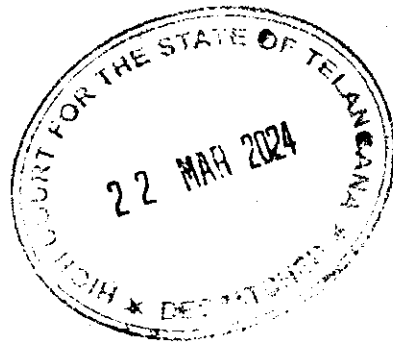


HIGH COURT

DATED:22/03/2024

ORDER

CRLP.No.3310 of 2024



DISPOSING OF THE CRIMINAL PETITION

⑧

22/3/24

J.K.