

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

**WEDNESDAY, THE THIRD DAY OF JULY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO: 6650 OF 2024

Between:

Kampati Lalitha, W/o. Ravi, Aged about 35 Years, Occ. House Wife, R/o. Puvadanagar Colony, Raghunadhapalem Mandal, Khammam District.

...Petitioner/Accused

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court of Judicature at Hyderabad Through P.S. Raghunadhapalem, Khammam District, Telangana.
2. G. Luther Wilson, Occ. Thasildhar, Age. Not Known, Raghunadhapalem Mandal, Khammam District.

...Respondents/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 crime registered vide impugned FIR No.93 of 2024, dt. 27.03.2024 registered U/sec. 420, 384, 506 r/w. 34 of IPC on the file of P.S. Raghunadhapalem, Khammam District, Telangana, in the interest of justice.

I.A. NO: 1 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 dispense with in filing certified copy of crime registered vide FIR No. 93 of 2024, dt. 27.03.2024 registered U/sec. 420, 384, 506 r/w. 34 of IPC on the file of P.S. Raghunadhapalem, Khammam District, Telangana.

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 stay of arrest in furtherance of the crime registered vide FIR No.93 of 2024, dt. 27.03.2024 registered U/sec. 420, 384, 506 r/w. 34 of IPC on the file of P.S. Raghunadhapalem, Khammam District, Telangana, in the interest of justice.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri R Mangulal, Advocate for the Petitioner, 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.6650 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/accused seeking to quash the proceedings against her in Crime No.93 of 2024 on the file of Raghunathapalem Police Station, Khammam District, registered for the offences punishable under Sections 420, 386 and 506 read with Section 34 of IPC.

2. Heard Sri R.Mangulal, learned counsel for the petitioner and Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State.

3. As seen from the record shows that there is no property transfer in the name of the petitioner. *Prima facie*, the averments of the petition do not constitute the offence under Section 386 of IPC. Hence, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 12.07.2024 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 petitioner shall submit her defense and co-operate with the Investigating Officer as and when required by furnishing information and 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 stand closed.

SD/- N RAJAGOPAL,
ASSISTANT REGISTRAR.

//TRUE COPY//

SECTION OFFICER

To,

1. The III Additional Judicial Magistrate of the First class at Khammam
2. The Station House Officer, Raghunadhapalem Police Station, Khammam District
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to Sri R Mangulal, Advocate [OPUC]
5. Two CD Copies

ADK



¹ (2014) 8 SCC 273

HIGH COURT

DATED:03/07/2024

ORDER

CRLP.No.6650 of 2024



DISPOSING OF THE CRLP

⑧
Slattery
LWS