IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF NOVEMBER TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION NO: 14558 OF 2024

Between:

Ms. Bellapu Shruthi, D/o. B Samba Siva Rao, Age-32 years, Occ- Pvt. Employee R/o. 8-2-293/F/20, Jubilee Hills, Hyderabad.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Through its Public Prosecutor High Court for the State of Telangana, Hyderabad.

RESPONDENT No.1/COMPLAINANT

2. Mr. B Jagdesh Kumar, S/o. Not Known Age- 49 years, Occ: Administrative Officer, Administrative Staff College of India, R/o. Bella Vista Campus, Raj Bhavan Road, Hyderabad

...RESPONDENT No.2/DEFACTO COMPLAINANT

Petition under Section 528 of B.N.S.S., praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash F.I.R against the Petitioner in Crime No. 233 of 2024 of P.S Central Crime Station, Hyderabad.

I.A. NO: 2 OF 2024

Petition under Section 528 of B.N.S.S., praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased pleased to STAY all further proceedings in Crime No. 233 of 2024 on the file of P.S Central Crime Station, Hyderabad pending disposal of the above criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri S CHANDRAHAS RAO, Advocate for the Petitioner and the Public Prosecutor for the State of Telangana on behalf of the Respondent No.1 and None Appeared for the Respondent No.2.

The Court made the following: ORDER

HON'BLE SMT. JUSTICE JUVVADI SRIDEVI

CRIMINAL PETITION No.14558 of 2024

ORDER:

Petitioner, who is arrayed as accused No.3 in Crime No.233 of 2024 of P.S. Central Crime Station, Hyderabad, registered for the offences under Sections 420, 406, 408, 468 and 471 r/w. 120-B of IPC, is seeking to quash the proceedings against him.

2. Heard Sri S.Chandrahas Rao, learned counsel for petitioner and Mr. Jithender Rao Veeramalla, learned Additional Public Prosecutor appearing for the State and perused the record.

3. Though this petition is filed for quashing the proceedings in the crime, during the course of arguments, learned counsel for petitioner has sought for directions to the Police to proceed with investigation by issuing notice under Section 35(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS) (Previously Section 41-A of Cr.P.C.).

4. In view of the above, without going into merits of the matter, this criminal petition is disposed of directing the Police

concerned to proceed with the investigation in the above crime after issuing notice under Section 35(3) of BNSS (Previously Section 41-A of Cr.P.C.) to the petitioner and he shall also follow the guidelines of Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar and another**[1]. However, the petitioner shall submit their 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.

Miscellaneous application pending, if any, shall stand closed.

Sd/- P PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Station House Officer, Central Crime Station, Hyderabad.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad (OUT)
3. One CC to SRI. S CHANDRAHAS RAO Advocate [OPUC]
4. Two CD Copies

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[1] (2014) 8 SCC 273

HIGH COURT
DATED:29/11/2024

ORDER

CRLP.No.14558 of 2024



DISPOSING OF THE CRL.PETITION

7 copies
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