IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

FRIDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

CRIMINAL PETITION NO: 920 OF 2025

Between:

1. Dasari Pavan Kumar, S/o Ramanaiah, Aged about 46 years, R/o D.No. 7-1-35/4, Induri vari Street, Sankala Vari Thota, Kavali Town, SPSR Nellore District, Andhra Pradesh-524201.
2. Dasari Rajani, W/o Dasari Pavan Kumar, Aged about 32 years, R/o Dudekulapalem village, Kavali Bit-11, Kavali, Nellore Andhra Pradesh-524201

...PETITIONERS/A1 & A2

AND

1. The State Of Andhra Pradesh, Rep by its Public Prosecutor, High Court of Andhra Pradesh, At Amaravati.
2. Shaik Khasim,, S/o Ali Sahib, Aged about 39 years, Dudekulapalem village, Kavali Mandal, SPSR Nellore District

...RESPONDENTS/COMPLAINANT

Petition under Old Section 482 of Cr.P.C. and New Sec. 528 of BNSS Act, 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.195 of 2024 on the file of the Kavali Rural Police Station, SPSR Nellore District, in so far A1 and A2, in the interest of justice.

I.A. NO: 2 OF 2025

Petition under Old Section 482 of Cr.P.C. and New Sec. 528 of BNSS Act, praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased may be pleased to stay of all further proceedings in FIR.No. 195 of 2024 on the file of the Kavali Rural Police Station, SPSR Nellore District, including the arrest of the petitioners/Al & A2, 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 Y.L. SIVA KALPANA REDDY, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1.

The Court made the following: ORDER

APHC010041692025

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

CRIMINAL PETITION NO: 920/2025

Between:

Dasari Pavan Kumar and Others **...PETITIONER/ACCUSED(S)**

AND

The State of Andhra Pradesh and Others **...RESPONDENT/COMPLAINANT(S)**

Counsel for the Petitioner/accused(S):

1.Y L SIVA KALPANA REDDY

Counsel for the Respondent/complainant(S):

1.PUBLIC PROSECUTOR

The Court made the following:

ORDER:

This Criminal Petition is filed by the petitioners herein under Section 482 of Cr.P.C., to quash the proceedings in Crime No.195 of 2024 of Kavali Rural Police Station, SPSR Nellore District registered for the offences punishable under Section 420 read with 34 IPC.

2. Heard learned counsel for the petitioners and learned Assistant Public Prosecutor appearing for the respondent No.1/State.

3. Learned counsel for the petitioners would submit that the petition may be disposed of by giving protection to the petitioners *vide* guidelines of the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar***[1].

4. Learned Assistant Public Prosecutor on instructions would submit that all the offences registered against the petitioners herein are punishable with less than seven (07) years period of imprisonment and necessary direction may be given to the concerned Station House Officer.

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[1] (2014) 8 SCC 273

5. Considering the submissions, this Criminal Petition is disposed of with the following directions;

a) Investigating Officer is at liberty to complete the investigation, in accordance with law.

b) In the event of any coercive action sought to be taken against the petitioners, the concerned police authorities are directed to scrupulously follow the procedure as contemplated under Section 35(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 41A Cr.P.C., scrupulously as per the guidelines enunciated in *Arnesh Kumar's case (supra)*.

6. It goes without saying that, if any charge sheet is filed in the above crime, the petitioners are at liberty to challenge the charge sheet, if they feels aggrieved by the same.

7. Accordingly, the Criminal Petition is disposed of.

As a sequel, interlocutory applications pending, if any, shall stand closed.

Sd/-B PRASADA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Station House Officer, Kavali Rural Police Station, SPSR Nellore District,
2. One CC to Sri Y. L. Siva Kalpana Reddy, Advocate [OPUC]
3. Two CC copies to the Public Prosecutor, High Court of A.P., [OUT]
4. Three CD Copies

SRm
vna

HIGH COURT

DATED: 31/01/2025

ORDER

CRLP.No.920 of 2025



DISPOSING OF THE CRL.P.