

CRIMINAL PETITION No.5504 OF 2020

ORDER:-

This petition under Section 482 of the Code of Criminal Procedure, 1973, is filed seeking quash of F.I.R in Crime No.187 of 2020 of Iragavaram Police Station, West Godavari District.

2. Heard learned counsel for the petitioners and the learned Additional Public Prosecutor.

3. On a report lodged by the 2nd respondent, who is the *de facto* complainant, alleging that the petitioners cheated him, a case under Section 420 IPC is registered against the petitioners in the above crime. The said crime is now under investigation.

4. Having regard to the allegations ascribed against the petitioners in the F.I.R, which *prima facie* constitute an offence under Section 420 IPC, this Court do not see any valid legal ground warranting interference of this Court under Section 482 Cr.P.C either to quash the F.I.R or to interdict the investigation.

5. In the result, the Criminal Petition is dismissed. However, as the offence registered against the petitioners is punishable with less than seven (07) years period of imprisonment, the Investigating Officer is directed to follow the procedure contemplated under Section 41-A Cr.P.C and the guidelines prescribed by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹ case.

Miscellaneous Petitions, if any pending, in this Criminal Petition, shall stand closed.

JUSTICE CHEEKATI MANAVENDRANATH ROY

Date: 30-11-2020
AKN

¹ (2014) 8 SCC 273

THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

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