

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

**THURSDAY, THE TWENTY NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION NO: 2405 OF 2024

Between:

Khaja Amanullah, S/o Khaja Saifullah, Aged 40 years, Occ Business, R/o H. no. 8- 12- 418/D 1/5, Omer Colony, Chandrayangutta, Hyderabad.

...Petitioner/A1

AND

1. The State of Telangana, Through its Public Prosecutor High Court, Hyderabad.
2. P. Bharat, S/o late Pandu, Aged about 40 yrs, Occ Business, R/o H.No. 1-1/3, Karwan, Hyderabad.

...Respondents

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 call for the entire records relating to orders in FIR No. 691 of 2023 on the file of learned IX Additional Metropolitan Magistrate, Cyberabad, at Kukatpally and Quash the same 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 FIR No. 691 of 2023 on the file of learned IX Additional Metropolitan Magistrate, Cyberabad, ate Kukatpally and Quash the same 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 Mohammad Adnan, Advocate for the Petitioner and 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.2405 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 in FIR, seeking to quash the proceedings against him in Crime No.691 of 2023 on the file of Chandanagar Police Station, Cyberabad, registered for the alleged offences punishable under Sections 420 and 406 of IPC.

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

3. 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 to appear before the Investigating Officer on or before 11.03.2024 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 co-operate with the Investigating Officer as and when required by furnishing information and the petitioner shall 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 also stand closed.

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The IX Additional Metropolitan Magistrate, Cyberabad at Kukatpally.
2. The Station House Officer, Chandanagar Police Station, Cyberabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri Mohammad Adnan, Advocate [OPUC]
5. Two CD Copies

Njb



¹ (2014) 8 SCC 273

HIGH COURT

DATED: 29/02/2024



ORDER

CRLP.No.2405 of 2024

DISPOSING OF THE CRLP

⑧
23/3/24
A.B