

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

THURSDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 3596 OF 2024

Between:

N. Sanjeeva Rao, S/o N.Rama Rao, aged about 50 years, Occ. Business, R/o Plot No. 104, Mallikarjuna Nagar, Upopal, Medchal Malkajgiri District.

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana, through S.H.O, Patancheru Police Station, Sangareddy District rep. By Public Prosecutor, High Court, Hyderabad.
2. Atluri Venkata Ramana Murthy, s/o Late Krishna Rao, aged about 60 years, occ. Business, r/o H.No. 5-7-22/2, Sangeeth Nagar, Sai Residency, Kukatpally, Medchal-Malkajgiri Dist.

...RESPONDENTS/COMPLAINANT

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 records relating to the F.I.R.No. 602 of 2023 on the file of the Patancheru Police Station, Sangareddy District, and quash.

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 the arrest of the petitioner in F.I.R.No. 602 of 2023 on the file of the Patancheru Police Station, Sangareddy District, pending disposal of the Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SARDAR JASBEER SINGH, Advocate for the Petitioner and the 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.3596 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') to quash the proceedings against the petitioner/accused No.2, in Crime No.602 of 2023 of Patancheru Police Station, Sangareddy District, registered for the offences punishable under Sections 406, 419, 420, 471, 506 read with 34 read with 120(b) of the Indian Penal Code, 1860 (for short 'the IPC').

2. Heard learned counsel for the petitioner as well as learned Assistant Public Prosecutor for respondent No.1 – State.

3. Without going into the merits of the case, since the punishment prescribed for the offence alleged against the petitioner is less than seven (07) years, this Court deems it appropriate to direct the petitioner/accused No.2 to appear before the Investigating Officer on or before 04.04.2024 between 11:00 a.m. and 05:00 p.m. and inturn 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 in **Arnessh Kumar**

v. State of Bihar¹ scrupulously. However, the petitioner shall co-operate with the Investigating Officer as and when required by furnishing information and documents as sought by him in concluding the investigation. The petitioner/accused No.2 shall file all the documents which he ought to file to prove that it do not come under the criminal offences and the Investigating Officer shall consider the same before filing appropriate report before the Magistrate.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications, if any pending, shall also stand closed.

SD/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

h
SECTION OFFICER

To,

1. The Judicial First Class Magistrate, (Excise & Prohibitions) at Sanga Reddy.
2. The Station House Officer, Patancheru Police Station, Sangareddy.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI. SARDAR JASBEER SINGH, Advocate [OPUC]
5. Two CD Copies

VH

RK

HIGH COURT

DATED: 28/03/2024

ORDER

CRLP.No.3596 of 2024



**DISPOSING OF THE
CRIMINAL PETITION**

⑧

28/3/24

D.B