

IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD

[ 3251 ]

THURSDAY, THE TWENTY THIRD DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1877 OF 2023

Between:

Mr. Sanjeev Rao Belupu, S/o. Late B. Sundar Rao Age- 71 Yrs, Occ- Business R/o.  
Plot No. 109, Gunrock Enclave, Secunderabad, Telangana- 500009.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Rep. by its Public Prosecutor, Through Station House Officer, Cyber Crime Police Station.
2. Mrs. Sudha Jagdish Rao, W/o. Late Jagdish Rao Age - 61years, Occ- Business 04.04464-fw. R/o. Plot No. 138, S.P. Colony, Tirumulgherry, Secunderabad, Hyderabad, Telangana- 500015.

...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 quash the FIR No. 2383 of 2022 dated 19/12/2022, on the file of Cyber Crime Police Station U/SEC 66(C), 66 (D) IT Act and U/S 419, 420, 468 r/w 34 IPC.

I.A. NO: 3 OF 2023

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~~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 with the further proceedings related to the Petitioner in FIR No. 2383 of 2022 dated 19.12.2022, on the file of Cyber Crime Police Station U/SEC 66(C), 66 (D) IT Act and U/S 419, 420, 468 r/w 34 IPC

**I.A. NO: 1 OF 2023**

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 Condone the delay of 02 days in representing the above CRLPSR 1705/2023 U/s. 482 of Cr.P.C. against the FIR No. 2383 of 2022 pending on the file of Cybercrime P.S. U/SEC 66(C), 66 (D) IT Act and U/S 419, 420, 468 r/w 34 IPC, filed by the Complainant herein.

**I.A. NO: 2 OF 2023**

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 dispense with the filing of the Certified Complaint Copy FIR No. 2383/2022 dated 19.12.2022 on the file of Cyber Crime Police Station U/SEC 66(C), 66 (D) IT Act and U/S 419, 420, 468 r/w 34 IPC

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri OMAR A PASHA, Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No.1 and of None appeared for the Respondent No.2.

**The Court made the following: ORDER**

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**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION No.1877 OF 2023**

**ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-accused to quash the proceedings against him in FIR No.2383 of 2022, pending on the file of Station House Officer, Cyber Crime Police Station, Hyderabad, registered for the offences punishable under Sections 66(C), 66 (D) of the Information Technology Act, and under Sections 419, 420, 468 read with Section 34 of the Indian Penal Code.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for respondent No.1 – State.

3. Learned counsel for the petitioner would submit that the Income tax returns were signed by respondent No.2 herein and she had falsely claimed that the petitioner has forged her late husband's signature. The question of forging the signature of her late husband in filling of income tax returns does not arise.

4. In the complaint, there is mention about income tax returns which is signed on 29.10.2022. However, the learned counsel for the

petitioner submits that income tax returns which were signed on 02.09.2022 were filed. He further submits that there are no other returns filed and this is the very same returns she is referring to in the complaint.

5. The said claim of the petitioner shall be considered by the police during the course of investigation and this Court deems it appropriate to direct the Investigating Officer in FIR No.2383 of 2022, pending on the file of Station House Officer, Cyber Crime Police Station, Hyderabad, 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 **A'nesh Kumar v. State of Bihar**<sup>1</sup> scrupulously. The petitioner shall co-operate with the Investigating Officer in concluding the investigation.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- N. CHANDRA SEKHAR RAO  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate, At Nampally Hyderabad.
2. The Station House Officer, Cyber Crime Police Station, Hyderabad.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri Omar A Pasha, Advocate [OPUC]
5. Two CD Copies

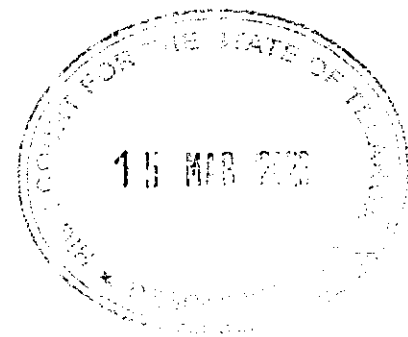
BJLB  
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HIGH COURT

DATED: 23/02/2023

ORDER



CRLP.No.1877 of 2023

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CRIMINAL PETITION IS DISPOSED OF.

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