

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE SEVENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL****IA No. 1 OF 2024****IN****CRLP NO: 13124 OF 2024****Between:**

Smt Asra Begum, W/o Shaik Basheer

...Petitioner

(Petitioner in CRLP 13124 OF 2024

on the file of High Court)

AND

1. The State of Telangana, Rep by its Public Prosecutor, SR Nagar PS High Court at Hyderabad
2. Sri Mohd Riyazuddin, S/o Mohd Fariuddin, Occ. Private Job, R/o H.No.8-4-369/700/A/1, Site- III, NRR Puram, Borabanda, Hyderabad.

...Respondents/Complainant

(Respondents in-do-)

Counsel for the Petitioner**: SRI VIJAY KUMAR PANUGANTI****Counsel for the Respondent No.1****: ASSISTANT PUBLIC PROSECUTOR**

Petition under Section 528 of B.N.S.S. praying that in the circumstances stated in the petition, the High Court may be pleased to stay all further proceedings including appearance of the of the petitioner/accused in CC.No.3647 of 2023, on the file of the Court of III Addl. Chief Metropolitan Magistrate at Hyderabad, pending disposal of CRLP No.13124 of 2024, on the file of the High Court.

The Court made the following

ORDER

Learned counsel for the petitioner(s) would submit that as contemplated under law the Inspector of Police has to conduct the investigation as against the imposition of Section 67 of Information Technology Act but, in the instant case it is clearly evident that the Sub-Inspector of Police has investigated the crime registered against the petitioner in F.I.R.No.239 of 2023.

Learned Assistant Public Prosecutor is present and would submit that the investigation has been completed and charge sheet has been laid before the Court. Therefore, interference of this Court at this stage is not warranted and seeks to dismiss the petition.

This matter needs detailed examination.

Considering the submissions of the learned counsel for the petitioner/accused, it is clear that the said offence registered against the petitioner has been investigated by the Sub-Inspector of Police instead of Inspector of Police. Therefore, this Court deems it appropriate to stay all further proceedings in C.C.No.3647 of 2023 on the file of Court of III Additional Chief Metropolitan Magistrate at Hyderabad until next date of hearing.

SD/-V.HARI PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The III Addl. Chief Metropolitan Magistrate at Hyderabad
2. The Station House Officer, SR Nagar Police Station, Hyderabad
3. Sri Mohd Riyazuddin, S/o Mohd Fariuddin, Occ. Private Job, R/o H.No.8-4-369/700/A/1, Site- III, NRR Puram, Borabanda, Hyderabad. (By RPAD)
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
5. One CC to SRI VIJAY KUMAR PANUGANTI Advocate [OPUC]
6. One spare copy

HIGH COURT

EVV,J

DATED:07/11/2024

ORDER

**IA No.1 of 2024
In
CRLP.No.13124 of 2024**

STAY

