

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

MONDAY, THE SEVENTH DAY OF SEPTEMBER  
TWO THOUSAND AND FIFTEEN

PRESENT  
**THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

**CRIMINAL PETITION No.7703 of 2015**

Between:

Mohammed Hasan and 2 others

**..... PETITIONERS/A1 to A3**

AND

The State of Telangana,  
Rep.by its Public Prosecutor,  
High Court at Hyderabad

**.....RESPONDENT**

**The Court made the following:**

**THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

**CRIMINAL PETITION No.7703 of 2015**

**ORDER:**

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.577/2015 on the file of XVII Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offences punishable under sections 420, 506 r/w. Sec.34 IPC.

Heard the learned counsel for the petitioners/A1 to A3 and the learned Additional Public Prosecutor, representing the State.

The allegations in brief are that there are disputes in between the existing Managing Committee and the 2<sup>nd</sup> respondent/*de facto*

complainant in the matter of continuation of term of Managing Committee. Bearing in mind the issue, on 15.12.2012 it is alleged that the petitioners/A1 to A3 went to the Masjid and when the 2<sup>nd</sup> respondent/*de facto* complainant is offering prayers, manhandled him, pushed him aside, due to which he fell down on the floor, and further the accused abused him and threatened that they will dismantle his mulgies.

In the facts and circumstances of the case, I feel that it is not a fit case where the proceedings can be quashed. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I absolutely see no valid ground to quash the charge sheet.

Learned counsel for the petitioners/A1 to A3 submits that the petitioners/A1 to A3 are aged persons and suffering from aged ailments and it will be difficult for them to attend for each and every adjournment in the above case and prays that their presence may at least be dispensed with.

The Criminal Petition is accordingly dismissed. The Court below shall not insist for the presence of the petitioners/A1 to A3 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose.

Pending miscellaneous applications, if any, shall stand closed in consequence.

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**M.S.K.JAISWAL,J**

Date: 07.09.2015

Dsr