

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6070 of 2015

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ORDER :

This criminal petition is filed by the petitioner/A.2 under Section 482 Cr.P.C seeking to quash the proceedings in C.C.No.2113 of 2014 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad, for the offences punishable under Sections 120-B, 468, 469, 471 and 484 IPC.

2. Heard the learned counsel for the petitioner as well as the respondent-State represented by the Public Prosecutor and perused the material on record.

3. As per the material on record, particularly, charge sheet and the statements of LWs.1 to 13 of whom, LWs.9 to 13 are the official witnesses, LW.8 is the hand writing expert, LWs.2 to 7 are the panch witnesses, and LW.1, who is the so-called M.L.A., stated that the signature on the letter head is not that of him and it is a forged one. This Court another Bench of order in CrI.P.No.10545 of 2014 filed by G.Nagabhushanam-A.1, quashed the proceedings, by order dated 01.04.2014, with observation that when the so-called original letters allegedly forged documents that were stated to be in use not seen the light of the day and even investigation done and charge sheet filed shows addressed to Principal Secretary to Home Department to collect and submit nothing received and

only from a copy sent to the hand writing expert-LW.8 for comparison and opinion received and the expression in **Bheri Nageswara Rao v. Mavuri Veerabhadra Rao and others^[1]**, categorically saying without the original disputed document, the question of comparison with any specimen signatures or admitted signatures does not arise from a Xerox copy of the disputed signatures to place any reliance and once that is excluded there is no other legal evidence, much less, to place any relevant on the so-called contentions. Hence to cause to quash.

4. Having regard to the above, even there is no such material so far as this petitioner-A.2 is concerned when compared to A.1, whose proceedings quashed vide supra, the proceedings against the petitioner/A.2 herein are also no way survive to sustain for any continuation.

5. Accordingly, the criminal petition is allowed and all the proceedings relating to C.C.No.2113 of 2014 on the file of the XI Additional Chief Metropolitan Magistrate, Secunderabad, are quashed against the petitioner/A.2. The bail bonds of the petitioner/A.2, if any, shall stand cancelled.

6. Miscellaneous petitions pending, if any, shall stand dismissed

Dr. B. SIVA SANKARA RAO, J

10th July 2015.

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