

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.7722 of 2015**

Between:

Dande Siva Kumar

**..... PETITIONER/ACCUSED**

AND

The State of Andhra Pradesh,  
Rep.by its Public Prosecutor,  
High Court at Hyderabad and another

**.....RESPONDENTS**

**The Court made the following:**

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

**CRIMINAL PETITION No.7722 of 2015**

**ORDER:**

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.98/2015 on the file of the Judicial Magistrate of First Class, Amalapuram, East Godavari District, registered for the offences punishable under section 420 IPC.

Heard the learned counsel for the petitioner/accused and the learned Additional Public Prosecutor, representing the State.

The allegations in brief are that the petitioner/accused having got nothing to do with the company of the 2<sup>nd</sup> respondent, he got an

advertisement published in “Saakshi Telugu Newspaper” that there is need for appointment of Sales Representatives to the 2<sup>nd</sup> respondent company, thereby cheated the 2<sup>nd</sup> respondent/*de facto* complainant and the unemployed youth.

The allegations levelled in the charge sheet against the petitioner/accused, *prima facie*, reveal the commission of offences, as alleged. 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.

The Criminal Petition is accordingly dismissed. However, in the facts and circumstances of the case, the Court below is directed not to insist for the presence of the petitioner/accused for each and every adjournment, unless it feels that his 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