

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

FRIDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

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

CRIMINAL PETITION No.9467 of 2015

Between:

Sayyad Baji and another

..... PETITIONERS/A1 & A2

AND

The State of Andhra Pradesh,

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.9467 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.165/2015 on the file of the Additional Judicial First Class Magistrate, Narsipatnam, Visakhapatnam District, registered for the offences punishable under sections 417 and 420 r/w.Sec.34 of IPC.

Heard the learned counsel for the petitioners/A1 and A2 and the learned Additional Public Prosecutor, representing the State.

It is alleged that the police conducted decoy operations to find out the culprits in regard to circulation of fake currency. In that process, one constable of Narsipatnam Town Police Station was deputed and he went to the house of the petitioners/accused in civil manner and expressed his necessity of money to clear off his debts, and on that, the petitioners/A1 & A2 told him that they are in the trade of fake currency and they will provide double amount of fake currency to the original currency. The police constable gave Rs.5,000/- in the denomination of Rs.500/- notes and in turn the accused gave a bundle containing black paper and said that if the bundle washed in the supplied liquid, the papers will change and become like original currency. Later, the police constable revealed his cadre and in the presence of mediators arrested the petitioners.

The allegations levelled in the charge sheet against the petitioners/A1 and A2, *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 or determined 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, as the 2nd petitioner/A2 is a lady and permanent resident of Narsipatnam, the Court below is directed to proceed with the trial and dispose of the same, as expeditiously as possible, however, without insisting for the presence of the 2nd petitioner/A2 for each and every adjournment, unless it feels that her physical presence is necessary for any specific purpose.

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

M.S.K.JAISWAL,J

Date: 09.10.2015

Dsr