

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7215 of 2015

ORDER :

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This Criminal Petition is filed by the Petitioner/ accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C No.770 of 2015 on the file of XI Metropolitan Magistrate, Cyberabad, where the learned Magistrate has taken cognizance for the offences under Section 408 (sic 406) IPC, outcome of report of 2nd respondent—de facto complainant in Crime No.539 of 2010 of Saroornagar Police Station, Cyberabad.

2) Heard learned counsel for the petitioner/ accused as well as 1st respondent—State represented by learned public prosecutor before admission and before ordering notice to respondent No.2—de facto complainant. Perused the material on record.

3) A perusal of the record would show that the police after investigation filed chargesheet that was taken cognizance by the learned Magistrate for the offence under Section 406 IPC. The case is at the stage of judgment after conclusion of trial and already posted for judgment. It is undisputedly after trial, the accused were examined under Section 313 Cr.P.C from the evidence against the accused having no grounds to discharge much less to dispense with the examination of 313 Cr.P.C.

4) Having regard to the above and for no material even filed before this Court, there are no grounds to admit the case for quashing of CC proceedings, particularly when the matter is already reserved by the trial Court after conducting trial by posting it for judgment.

5) Accordingly, the Criminal Petition is disposed of.

6) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.13.08.2015

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Date: 13.08.2015

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