

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

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Crl.P. No.6326 of 2015

Between:

Mohd. Irfan & another

.. Petitioners/ accused Nos.1 & 2

And

The State of Telangana, through SHO,
Bowenpally Police Station, Hyderabad District
Rep. by Public Prosecutor, High Court, Hyderabad

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 20-07-2015

SUBMITTED FOR APPROVAL:

**HONOURABLE Dr. JUSTICE B.SIVA SANKARA
RAO**

1. Whether Reporters of Local newspapers
Yes/No
may be allowed to see the Judgment?

2. Whether the copies of judgment may be
marked to Law Reporters/Journals

Yes/No

3. Whether Their Lordship wish to
see the fair copy of the Judgment?

Yes/No

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6326 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioners/ Accused Nos.1 and 2 under Section 482 Cr.P.C seeking a direction to the XI Additional Chief Metropolitan Magistrate, Secunderabad to dispose of C.C No.437 of 2013 as expeditiously as possible

2) Heard learned counsel for the petitioners/ accused Nos.1 and 2 in C.C No.437 of 2013 on the file of XI Additional Chief Metropolitan Magistrate, Secunderabad where the learned Magistrate taken cognizance for the offence under Section 379 IPC against petitioners outcome of report of de facto complainant, who is no other than step mother of accused in Crime No.102 of 2013 of Bowenpally Police Station, Hyderabad, and also learned public prosecutor representing the respondent—state before admission. Perused the material on record.

3) As charges not even framed so far under Section 240 Cr.P.C the Criminal Petition filed by the petitioners/ accused Nos.1 & 2 under Section 482 Cr.P.C is disposed of, directing the learned Magistrate to take up and hear the application under Section 239 Cr.P.C read with 240 Cr.P.C if there are no grounds to frame charges to discharge, and if not to proceed with trial as per letter and spirit of Section 309 Cr.P.C preferably within three (3) months from the date of receipt of this order, if the trial could not be complete for any reason despite the direction supra, the learned Magistrate can seek for extension of time with reasons.

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

Dr. B. SIVA SANKARA RAO, J

Dt.20.07.2015
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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CRIMINAL PETITION No.6326 of 2015

Date:20.07.2015

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