

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3252 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in C.C.No.821 of 2015 on the file of the XXIII Metropolitan Magistrate, Cyberabad at Rajendranagar, arising out of offences under Sections 406 and 420 IPC.

Heard and perused the material available on record.

This Court is of the view that truth or otherwise of the allegations made against the petitioner can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

Considering the facts and circumstances, this Court is of the view that the petitioner is given liberty to file an application raising all the grounds seeking discharge since the complaint filed by the petitioner is also pending on the same Court and also to produce all relevant documents including the defence deposed by the second respondent herein in the case pending against him under Section 138 of the Negotiable Instruments Act and the Court below is directed to consider the application on hearing the petitioner and on perusing the records and pass appropriate orders in accordance with law. Till then, the presence of the petitioner is dispensed with before the Court below.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

14.03.2016

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