

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.76 of 2014

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.129 of 2013 pending on the file of III Special Magistrate, Hyderabad registered for the offence punishable under Section 138 of Negotiable Instruments Act.

No representation on behalf of the counsel for the petitioners. Perused the material on record.

The grounds raised by the petitioners for quashing the impugned proceedings are that: (i) the accused-second petitioner herein being the Managing Director of first petitioner-firm i.e. M/s.Val Technologies Pvt. Ltd. gave the cheques to the complainant-firm as a security purpose towards running the business account; (ii) stop payment instructions were already given to his banker even prior to the deposit of the cheque; and (iii) the cheque is filled by the complainant which is evident from the hand writing on the cheque.

This Court is of the view that all these aspects now raised by the petitioners are to be agitated before the trial Court since the truth or otherwise of the same is to be decided only after the trial.

Accordingly, the Criminal Petition is dismissed.

Miscellaneous Petitions filed in this Criminal Petition, if any, shall stand closed.

RAJA ELANGO,J

15.02.2016.
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CRIMINAL PETITION No.10779 of 2010

Date: 04.11.2011.

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