

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.982 of 2015

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-4 and A-5 in C.C.No.27 of 2014 on the file of IX Special Magistrate at Erramanzil, Hyderabad, arising out of private complaint filed under Section 200 Cr.P.C. for the offences punishable under Sections 138 and 141 of the Negotiable Instruments Act, 1881.

When the matter is taken up for hearing, the learned counsel for the 2nd respondent fairly stated that the 2nd respondent has already filed a memo before the trial Court informing that the petitioners herein are not necessary parties to the proceedings and requested to delete their names from the array of the accused in C.C.No.27 of 2014.

In view of the said submission of the learned counsel, nothing further remains to be adjudicated in the present criminal petition and the same has become infructuous. However, at this stage, learned counsel for the 2nd respondent further brought to notice of the Court that in view of pendency of the present criminal petition, the learned Magistrate is not inclined to transfer the case as per the Ordinance issued by the Central Government under the Negotiable Instruments Act.

Considering the said submission of the learned counsel, since the Criminal Petition is being dismissed by this order, nothing prevents the learned Magistrate from transferring C.C.No.27 of 2014 as per the Ordinance. Therefore, the learned II Additional Chief Metropolitan Magistrate, City Criminal Courts at

Hyderabad is hereby directed to transfer C.C.No.27 of 2014 pending on his file to the competent Court as per the Ordinance issued by the Central Government under the provisions of Negotiable Instruments Act, 1881.

With the above observations, the Criminal Petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

RAJA ELANGO, J

Date: 23-02-2016

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Note: Issue C.C. in 3 days.

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