

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION NO. 12636 OF 2016

ORDER

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.47 of 2015 on the file of XII Special Magistrate, Erramanzil, Hyderabad, registered against the petitioners/ A1 and A2 for the alleged offences punishable under Section 138 of the Negotiable Instruments Act.

Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the State.

A perusal of the material on record reveals that specific allegations were made against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. I see no ground to interdict at this stage and quash the proceedings.

Considering the nature of allegations against petitioner No.2/Accused No.2, the criminal petition is dismissed as far as petitioner No.2 is concerned. The petitioner No.2 shall appear before the trial Court during course of trial.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the criminal petition is disposed of, directing the trial court to dispose of the case as expeditiously as possible, without insisting the presence of the petitioner No.1/accused No.1 unless required for any specific purpose. It is needless to observe that petitioner No.1 is at liberty to move trial court for appropriate relief under law, including that of petition for discharge.

Miscellaneous petitions pending if any, shall stand closed.

M.S.K.JAISWAL,J

Date: 06.09.2016
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