

THE HON'BLE SRI JUSTICE RAJA ELANGO
CRIMINAL REVISION CASE No.1675 of 2012

ORDER:

The petitioner-A1 preferred the present Criminal Revision Case by invoking the provisions under Sections 397 and 401 of the Code of Criminal Procedure being aggrieved by the order dated 22.08.2012 passed in CrI.M.P.No.1177 of 2011 in C.C.No.684 of 2007 by the Judicial Magistrate of First Class, Special Mobile Court cum XI Metropolitan Magistrate, Cyberabad, L.B. Nagar, wherein the learned Magistrate dismissed the discharge petition filed by petitioner herein, invoking the provisions under Section 239 Cr.P.C.

The petitioner is facing trial in the above CC, for the offences punishable under Sections 447 and 427 IPC. He filed the impugned application before the Court below to discharge him from the above offences, since the proceedings in the above CC, against the other accused i.e. A2 to A6 were quashed by this Court in Criminal Petition No.2956 of 2008 vide order, dated 02.09.2011. But, the Court below dismissed the said application vide order impugned. Challenging the same, the present revision case is filed.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that there are no specific overt acts against the petitioner and the proceedings in the above CC against the other accused i.e. A2 to A6 were quashed by this Court in CrI.P.No.2956 of 2008 and the petitioner is also standing on the same footing and therefore, the same benefit may be extended to him.

Considering the facts and circumstances of the case and also the submissions of the learned counsel for the petitioner,

this Court is inclined to pass the following order:

The Criminal Revision Case is allowed and the petitioner is discharged from the offences punishable under Sections 447 and 427 IPC in CC No.684 of 2007 pending on the file of Judicial Magistrate of First Class, Special Mobile Court cum XI Metropolitan Magistrate, Cyberabad, L.B. Nagar.

Miscellaneous petitions filed in this revision, if any, shall stand closed.

RAJA ELANGO, J

July 20, 2016.

KTL