

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1791 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.705 of 2015 on the file of the XXV Metropolitan Magistrate, Cyberabad, at Kukatpally, arising out of offences under Sections 447, 448, 348, 503, 506 IPC.

Heard and perused the material available on record.

On perusal of the entire material available on record, prima facie there is a complaint and a counter complaint between the parties with regard to the same allegations and that the civil suits are also pending between the parties. Hence, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

Considering the facts and circumstances of the case, as the petitioners and the complainant are closely related, the question of identity of the petitioners does not arise, and as such, the presence of the petitioners before the trial Court is dispensed with except on the dates when the trial Court insists for their appearance. The petitioners are directed to be represented by a counsel on all hearing dates.

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

JUSTICE RAJA ELANGO

15.02.2016

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