

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2014 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.398 of 2013 on the file of the Additional Judicial First Class Magistrate, Narsapuram, West Godavari District.

It is alleged in the complaint that the 1st respondent filed a suit against one Ranga Rao for the relief of specific performance of the agreement of sale dated 20.10.1997 and as their Counsel Inampudi Rama Krishna Rao did not attend the Court, the suit was dismissed for default. Then, the 1st respondent changed the advocate and engaged the petitioner. The petitioner demanded Rs.3,40,000/- to file reopen petition and accordingly, they paid the amount. Subsequently, the petitioner called the brother of the 1st respondent and informed him that an order was pronounced and in the said order, the Court ordered to pay the deficit Court fee of Rs.14,55,000/-. They paid the said amount through their Bank. The petitioner received the said amount. Later, the petitioner shifted his practice from Tanuku to Eluru and he did not give any correct information regarding the progress of the suit. Then, the brother of the 1st respondent took his known advocate and enquired about the stage of the suit and he came to know that the said suit was not reopened. When the 1st respondent demanded the petitioner, he refused to repay the amount.

Considering the facts and circumstances of the case and the nature of the allegations, this Court is not inclined to grant the relief sought by the petitioner.

Accordingly, the Criminal Petition is dismissed. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

JUSTICE RAJA ELANGO

Date : 18.2.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION No.1998 OF 2016

DATED 18.2.2016

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