

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 6841 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in FIR No. 78 of 2012 on the file of the CID PS, Hyderabad, registered for the offences punishable under Sections 409, 420, 468 and 471 IPC.

Heard the learned counsel appearing for the petitioners/Accused Nos. 5 and 9, and the learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioners/Accused Nos. 5 and 9 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

However, it is submitted by the learned Counsel for the petitioners that though the petitioners were arrested and enlarged on regular bail by order dated 04.06.2013 passed in CrI.M.P.No. 835 of 2013, however, the learned Magistrate is insisting the presence of petitioners herein/Accused Nos. 5 and 9 for each and every adjournment.

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 learned II Additional Metropolitan Magistrate, Cyberabad, at L.B.Nagar not to insist the presence of petitioners herein/Accused Nos. 5 and 9 till the charge sheet is filed. However, it is made clear that the petitioners shall bind over to appear before the Court below as and when summons are received by them.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 1st September, 2016.
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