

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

CRIMINAL PETITION No.7865 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/A2 seeking to quash the proceedings in C.C.No.661 of 2012 on the file of

I Additional Judicial First Class Magistrate, Khammam, registered for the offences punishable under Sections 406, 420, 427, 506 r/w 34 IPC and under Section 156(3) Cr.P.C., against him.

2. It is alleged in the charge sheet that A1 as borrower and A2 as guarantor have entered into loan agreement with the complainant company for getting financial assistance and purchased the tractor agreeing to pay a sum of Rs.1,73,290/- in 24 installments and thereafter, they concealed and dismantled the vehicle with a malafide intention to cause wrongful loss, damage, thereby cheated the complainant company.

3. Heard and perused the material on record.

4. In view of the specific allegations in the charge sheet, this is not a fit case where the proceedings against the petitioner can be quashed. Truth or otherwise of the allegations can only be decided during the course of trial. Considering the facts and circumstances of the case, the Court below is directed to dispose of the aforesaid CC as expeditiously as possible, preferably, within a period of six months from the date of receipt of a copy of this order, without insisting the presence of petitioner/A2 for each and every date of adjournment, unless it feels that his presence is necessary for any specific purpose.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

9th June, 2016

sj

