

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.10912 OF 2014

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-1 to A-3 seeking to quash the proceedings in C.C.No.612 of 2014 on the file of the II Additional Chief Metropolitan Magistrate, Hyderabad.

2. Heard and perused the material on record.
3. The offences alleged against the petitioners are punishable under Sections 120-B, 406, 420 and 421 read with 34 I.P.C.
4. Learned counsel for the petitioners mainly contended that earlier, the police investigated into the matter and referred the same as civil in nature; that only on the protest petition, cognizance was taken and this is a third round of litigation between the parties and respondent No.2 is abusing the process.
5. Having regard to the facts and circumstances of the case, this Court is of the view that since cognizance has already been taken by the trial Court and summons were issued to the petitioners, it is always open to the petitioners to file appropriate application for discharge informing the grounds raised before this Court along with other grounds and on such application, the trial Court is directed to pass appropriate orders. If the petitioners are aggrieved by the orders passed by the learned trial Judge, they are at liberty to challenge the same before the appropriate Court. Till the disposal of the discharge application, the petitioners' presence before the trial Court is dispensed with except on the dates on which the learned trial Judge insists for their appearance.
6. Accordingly, the Criminal Petition is disposed of.
7. Miscellaneous petitions pending, if any, in this Criminal Petition

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Date: 25.02.2016

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