

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4093 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.1654 of 2015 on the file of the II AJCJ-cum-XIX Metropolitan Magistrate, Miyapur, Cyberabad.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Sections 406 and 420 IPC. It is alleged that the 2nd respondent and L.W.2 are the partners in M/s Shalini Srinivas Health Care Centre having 50% share each in the said firm. On 23.2.2015, the accused joined as partner in the place of the 2nd respondent by virtue of retirement deed-cum-reconstruction of partnership deed. In pursuance of the same, the accused has to pay Rs.38 lakhs. He paid 20 lakhs. The cheques issued by the petitioner for the remaining amount were dishonoured. Thus, the petitioner cheated the 2nd respondent.

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

At this stage, the learned Counsel for the petitioner sought for dispensing with the presence of the petitioner before the trial Court.

In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the dates when his presence is specifically required by the trial Court. The petitioner is directed to be represented by a Counsel before the trial Court on all hearing dates.

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

JUSTICE RAJA ELANGO

Date : 28.3.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 28.3.2016

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