

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42306 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in Crime No.157 of 2015 before respondent No.2 on the file of the XII Additional Chief Metropolitan Magistrate, Nampally, Hyderabad against the petitioners.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.3 filed a private complaint against them before the I Additional Chief Metropolitan Magistrate, Hyderabad and the same was referred to police for investigation; that respondent No.2 registered the same as the aforementioned case for the offences punishable under Sections 420, 426 and 406 read with 34 I.P.C.; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and hence, prays to quash the proceedings in the said crime.

4. Learned Assistant Government Pleader for Home informed this Court that already charge sheet was filed in the aforesaid crime.

5. Considering the facts and circumstances of the case and as charge sheet was already filed in the aforesaid crime, this Court is not inclined to interfere with the proceedings in the said crime. However, if any warrants are pending before the trial Court against the petitioners, they are at liberty to surrender before the trial

Court and file an application to recall the warrants and on filing of such applications, the trial Court shall recall the warrants on the same day on their execution of a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for a like sum each and further, the petitioners are directed to appear before the trial Court regularly.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

6.12.2016
AMD



JUSTICE RAJA ELANGO

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Date: 6.12.2016

AMD