

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6928 OF 2016
ORDER:

This Criminal Petition is filed by the petitioner-accused challenging the C.C.No.151 of 2015, on the file of the Additional Judicial Magistrate of First Class, Shadnagar, Mahabubnagar District, wherein the petitioner is arrayed as an accused for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881.

The case of the petitioner is that the petitioner had issued a cheque bearing No.406957, dated 06.01.2015, drawn on SBH, Shadnagar, for Rs.20,00,000/- in favour of the 1st respondent for purchase of the Vashishta Vidyalayam, Keshampet and the cheque issued is dishonoured vide cheque return memo, dated 20.02.2015. Hence, the complaint is filed.

Heard and perused the material available on record.

Learned counsel for the petitioner submitted that the due amount is less than the cheque amount, whereas the cheque is misused by the *de facto* complainant.

The petitioner could not substantiate the same by producing the cheque issued by the petitioner herein and further more, if there is any dispute regarding the amount to be paid by the petitioner herein, it is a matter for the trial Court to decide. This Court cannot conduct any enquiry over the factual aspects. Hence, this Court is not inclined to interfere with the proceedings against

the petitioner.

Accordingly, the Criminal Petition is dismissed.
Miscellaneous petitions pending, if any, shall stand
closed.

JUSTICE RAJA ELANGO

Date : 29.04.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 29.4.2016

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