

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5271 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in S.C.No.56 of 2016 pending on the file of II Additional Assistant Sessions Judge, at L.B. Nagar, Ranga Reddy District, arising out of Crime No.222 of 2014 for the offences punishable under Sections 306 and 420 IPC.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material available on record.

A perusal of the material on record would reveal that after filing of charge sheet, the committal Court primarily registered the same as P.R.C.No.59 of 2015, as out of the alleged offences one of the offences is punishable under Sections 306 IPC, which is exclusively triable by the Court of Session and after following due procedure prescribed under Section 209 Cr.P.C., the case was committed to the Court of Session and the same was numbered as S.C.No.56 of 2016 pending on the file of II Additional Assistant Sessions Judge, at L.B. Nagar, Ranga Reddy District wherein serious allegations are alleged against the petitioner/accused herein. Whether the petitioner/accused herein has committed the alleged offences or not is a matter to be adjudicated by the Sessions Court after a full pledged trial and the same cannot be determined at this stage. Hence, this Court is not inclined to interfere with the proceedings.

Having regard to the facts and circumstances of the case

and also in view of the fact that the case was committed to the Court of Session, the petitioner/accused herein is directed to file appropriate application for his discharge raising all the points as raised herein before the Court concerned and on filing of such application, the learned Sessions Judge shall consider the same and pass appropriate orders in accordance with law.

Subject to the above observation, the criminal petition is disposed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 18-04-2016

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