

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3951 OF 2016

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ORDER:
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This Criminal Petition is filed by the petitioner-accused under Section 482 Cr.P.C., seeking to quash the proceedings initiated against him in C.C.No.7 of 2001, on the file of the III Additional District Judge-cum-Special Judge for SPE & ACB Cases, Visakhapatnam District.

It is stated that the above C.C. has arisen out of a private complaint filed by the District Court, Visakhapatnam under Section 200 Cr.P.C. and 340(1) (b) Cr.P.C. for the offences punishable under Sections 465, 466, 468 and 471 IPC.

Heard the learned Counsel for the petitioner and the learned Public Prosecutor.

Learned Counsel for the petitioner submitted that on the earlier occasion, in a batch of similar criminal petitions viz., Crime Petition No.2290 of 2007 and batch, the petitioner challenged the complaints arising out of the same transactions and this Court allowed the said Criminal Petitions quashing the proceedings challenged therein by the order dated 21.9.2007 and that the present case is similar to that of batch cases and hence, the proceedings may be quashed.

A perusal of the material on record and the order dated 21.9.2007 in Crl.P.No.2290 of 2007 and batch would reveal that this Court quashed the proceedings impugned therein following the judgment of a Division Bench of this Court in Crl.A.No.587 of 1998 and batch dated 27.9.2002. The present case also is similar to that of batch of criminal petitions as the issue involved herein arises out of the same transactions on the same set of facts and hence, for the same reasons, the present proceedings also can be quashed.

Accordingly, the Criminal Petition is allowed and the proceedings initiated against the petitioner in C.C.No.7 of 2001

pending on the file of the III Additional District Judge-cum-Special Judge for SPE & ACB Cases, Visakhapatnam District are hereby quashed. Consequently, miscellaneous petitions, if any pending, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 22.3.2016

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