

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4620 of 2016

ORDER:

This Criminal Petition is filed by the petitioners/accused under Section 482 Cr.P.C. seeking to quash the proceedings initiated against them in C.C.No.60 of 2016 on the file of Special Mobile Court, Sangareddy, Medak District, arising out of Crime No.21 of 2012 registered for the offences punishable under Sections 420 and 468 IPC.

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

Admittedly, on a complaint being lodged by the second respondent, the police registered the above case and on completion of investigation, they filed the charge sheet and the same is numbered as C.C.No.60 of 2016 wherein the petitioner was arrayed as accused and is facing the trial.

The main grievance of the petitioner is that even after the report of Foreign Science Laboratory that the signatures of the petitioner did not tally to the alleged forged signatures of the Chairman and Managing Director, the police filed charge sheet on the ground that the petitioner is liable for the alleged offences of cheating and forgery, as he is the custodian of the transport bills. It is also the case of the petitioner that in fact the petitioner is not custodian of the records.

Having regard to the facts and circumstances of the case and considering the contentions of the learned counsel for the petitioner/accused, this Court is of the view that it is open for the petitioner/accused to make an application before the trial Court

seeking his discharge from the charges framed against him by raising all the contentions as raised herein and on filing of such application, the trial Court is directed to consider all the contentions raised by the petitioner/accused and pass appropriate orders in accordance with law. Till such application is disposed of, the presence of the petitioner/accused is dispensed with except on the dates when his presence is specifically required by the Court.

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

RAJA ELANGO, J

Date: 04-04-2016

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