

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.6074 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in C.C.No.212 of 2015 pending on the file of XI Metropolitan Magistrate, Cyberabad at L.B. Nagar, Rangareddy District, arising out of Crime No.236 of 2015 registered for the offence punishable under Section 338 IPC.

Heard and perused the material on record.

It is evident from the material on record that the petitioner/accused was charged for the offence punishable under Section 338 IPC on the ground that he drove his car in a rash and negligent manner and dashed the 2nd respondent, as a result of which the 2nd respondent received a grievous injury. It is also evident that a notice under Section 41-A IPC was issued to the petitioner/accused calling for his explanation for his arrest for the alleged offence, pursuant to which the petitioner/accused given his explanation stating that he has not involved in any such offence.

Having regard to the facts and circumstances of the case and in view of the fact that the case was already taken on file for the alleged offence, this Court is of the view of that whether the petitioner/accused has committed the alleged offence or not is a matter to be decided by the competent court and it is not a fit case to quash the proceedings. Hence, the criminal petition is liable to be dismissed.

Accordingly, the Criminal Petition is dismissed.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

RAJA ELANGO, J

Date: 25-04-2016

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