

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2107 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings in CC.No.155 of 2009 on the file of the XI Metropolitan Magistrate, Cyberabad.

2. Heard counsel for the petitioner and the learned Public Prosecutor, who takes notice for second respondent. None appears for the first respondent in spite of notice.

3. The counsel for the petitioner contends that as per the complaint, the calls to the complainant were made by a lady and that charge sheet also speaks about the same and hence, the petitioner cannot be prosecuted. But the learned Public Prosecutor contends that a statement was recorded from the complainant where he stated that the petitioner was behind the said calls and that calls were received from the mobile number of the petitioner also.

4. Hence, it is definitely a matter to be tried, in order to find out the truth of the case and it is not a fit case for quash of the proceedings against the petitioner.

The criminal petition is dismissed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

November 30, 2017
DSK

T. RAJANI, J