

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2405 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to quash the proceedings in C.C.No.156 of 2016 on the file of VIII Additional Chief Metropolitan Magistrate, Hyderabad.

2. Petitioner herein is the sole accused in the aforesaid Calendar Case and alleged to have committed the offences punishable under Sections 323 and 506 I.P.C.

3. Heard Sri Shaik Khalid, learned counsel for the petitioner.

4. Learned counsel for the petitioner would submit that in regard to one and the same incident occurring in the present complaint, even the petitioner herein has filed a compliant, basing on which, First Information Report was lodged and later, on filing charge sheet, the very same Magistrate has taken cognizance of the offences in C.C.No.97 of 2016, a copy of the charge sheet is also finding place in the material papers at page No.17.

5. When such is the situation, certainly, the petitioner herein and the accused in C.C.No.97 of 2016 have to undergo trial, so as to enable the Court to arrive at the conclusion as to who among both the accused is aggressor. Therefore, it is not a case to quash the

proceedings in the present Calendar Case, since, continuation of proceedings in the present Calendar Case does not amount to abuse of the process of law or Court.

6. Hence, the Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

March 22, 2017.
MD

