

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2269 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973, requesting to quash the proceedings in C.C.No.261 of 2013 on the file of the learned XI Additional Chief Metropolitan Magistrate at Secunderabad.

The petitioner, who is the sole accused in the aforesaid Calender Case, alleged to have indulged in preparing fake documents and, thereby, committed the offences punishable under Sections 420 and 473 of IPC.

Heard Sri Raghavan K.Thallapaka, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Telangana on behalf of respondent No.1.

Learned counsel for the petitioner has drawn the attention to the charge sheet contents and, according to him, the seized items mentioned as serial numbers 1 to 7 at page no.6 of the material papers, which is page No.2 of the charge sheet, would show that the letter heads seized from the possession of the petitioner's shop were empty letter heads of various Banks and that itself would indicate that the petitioner is not involved in fabrication of documents.

However, the details of seized rubber seals/stamps, numbering 16, shown in the last paragraph at page no.2 of the charge sheet, are

described as the rubber seals containing Manager, Canara Bank, ABN AMRO, Banja Hills, K.V.B Secunderabad, Andhra Bank of Secunderabad Branch, Hyderabad BSR Code: 034029 and the rubber seals of certain other Banks. The possession of these are sufficient enough to hold even at this stage that the allegations levelled against the petitioner are of serious nature and they *prima facie* substantiate the commission of offences alleged against him. Therefore, there is no merit in the present petition to view that proceeding with the trial in the aforesaid Calender Case would amount to the abuse of process of law.

Learned counsel for the petitioner lastly makes a request to direct the learned Magistrate to dispose of the Calender Case by fixing timeline.

Though, the learned counsel for the petitioner submits that the petitioner has been regular in attending the trial Court, the learned Additional Public Prosecutor would dispute the same. Be that as it may, since the Calender Case relates to the year 2011, the learned XI Additional Chief Metropolitan Magistrate, Secunderabad, is directed to dispose of the same as expeditiously as possible, preferably within a period of six months from the date of receipt of a copy of this order. It is made clear that the petitioner shall co-operate with the Court below without seeking unnecessary adjournments.

With the above directions, the Criminal Petition is disposed of at the stage of admission itself.

Miscellaneous applications, if any, pending in the present petition stand closed.

JUSTICE A.SHANKAR NARAYANA

20.03.2017

v v

