

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CRIMINAL PETITION No.23 of 2017

ORDER:

The present Criminal Petition, under Section 438 of Cr.P.C., is filed by the petitioner/A.2 seeking to enlarge him on bail in the event of his arrest in connection with Crime No.10 of 2015 of C.I.D. Police Station, Hyderabad, registered for the offences punishable under Sections 409, 379, 420 and 120-B of IPC.

Heard learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondent – State and perused the material on record.

It is an admitted fact that the petitioner/A.2 filed writ petition being W.P.No.46530 of 2016 before this Court seeking to quash the proceedings in the aforesaid crime and also sought for stay all further proceedings, including arrest of the petitioner in connection with the said crime. However, there is no stay of arrest of the petitioner granted by this Court. Therefore, when similar prayer is sought by the petitioner in a writ petition and the same is pending consideration, the present Criminal Petition is not maintainable and the same is liable to be dismissed.

Accordingly, this Criminal Petition is dismissed. Interim stay granted by this Court on 03.01.2017 shall stand vacated.

JUSTICE SURESH KUMAR KAIT

05.01.2017.

Msr

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