

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.934 of 2017

ORDER:

This criminal petition is filed seeking for quash of proceedings in CC.No.849 of 2016 on the file of the XIX Metropolitan Magistrate, Cyberabad at Kukatpally.

2. Heard learned counsel for the petitioners and learned Public Prosecutor and with their consent, the criminal petition is disposed of at the admission stage.

3. It is brought to the notice of this Court that the case is already numbered as calendar case, hence, the petitioners have an effective remedy before the Court below to file a petition for discharge on the same grounds including the one relating to the non-filing of the affidavit by the complainant. However, the plea of the counsel for the petitioners that the presence of the petitioners can be dispensed with can be taken care of by directing the Court below not to insist upon the presence of the petitioners unless it is required for the proceedings of the case till the discharge petition is disposed of. The petitioners can raise all the grounds raised herein in the discharge petition filed by them.

With the above observations, the criminal petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

JUSTICE T. RAJANI

October 11, 2017
Lmv