

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

THURSDAY, THE FIFTEENTH DAY OF MARCH,
TWO THOUSAND AND EIGHTEEN
PRESENT
THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRLPMP.NO.6207 of 2017
IN
CRLP.NO.6092 of 2017

Between:

- 1 Bayya Hanumantha Rao, S/o Narasimhulu,
- 2 Bayya Venugopal, S/o B. Hanumantha Rao,
- 3 Bayya Sujatha, W/o Chengam Tirumalesh,
- 4 B. Ramesh, S/o B. Hanumantha Rao

Petitioners
(Petitioners in CRLP 6092 of 2017
on the file of High Court)

AND

- 1 The State of A.P., rep. by the Public Prosecutor, High Court of Hyderabad
- 2 V. Venkataiah, S/o V. Venkata Krishnaiah, R/o D.No.15/794, B.P. Agraharam,
Srikalahasthi, Chittoor District.

Respondents
(Respondents in-do-)

Counsel for the Petitioners: SRI C. MASTHAN NAIDU

Counsel for the Respondent No.1: PUBLIC PROSECUTOR (AP)

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the memorandum of grounds filed in Cr.P., the High Court may be pleased to stay all and further proceedings in C.C.No.521/2016 on the file of Additional Junior Civil Judge, Srikalahasthi, Chittoor District, including appearance of the Petitioners/Accused No. 1 to 4, pending disposal of CRLP.No.6092 of 2017 on the file of the High Court.

The Court while directing issue of notice to the Respondent No.2 herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER

Heard the learned counsel for the petitioners/A.1 to A.4, learned Assistant Public Prosecutor and perused the record.

The learned counsel for the petitioners/A.1 to A.4 would submit that the de-facto complainant has no *locus standi* to lodge a report against the petitioners/A.1 to A.4. Further, the wife of the de-facto complainant filed a suit in O.S.No.650 of 2002 on the file of Principal Junior Civil Judge, Srikalahasthi, Chittoor District, and lost the same, vide judgment, dated 21.03.2011, passed in the said suit. An appeal preferred against the dismissal of the suit, she did not get any relief and the said appeal was dismissed. In order to harass the petitioners/A.1 to A.4, false allegations are made against them stating that they have committed forgery and fabricated the agreement of sale, dated 25.08.2001. The suit was for specific performance of agreement of sale, dated 25.08.2001. The submissions made on behalf of the petitioners/A.1 to A.4 cannot be discarded at this juncture, require examination.

Under these circumstances, all further proceedings in C.C.No.521 of 2016 on the file of Additional Junior Civil Judge, Srikalahasti, Chittoor District, are stayed for a period of two (02) months.

Notice.

//TRUE COPY//

SD/- K. TATA RAO
ASSISTANT REGISTRAR

for ASSISTANT REGISTRAR

To

1. The Additional Junior Civil Judge, Srikalahasti, Chittoor District
2. V. Venkataiah, S/o V. Venkata Krishnaiah, R/o D.No.15/794, B.P. Agraharam, Srikalahasti, Chittoor District. (BY RPAD)
Two CCs to Public Prosecutor (AP, High Court of Hyderabad (OUT)
3. One CC to Sri. C. Masthan Naidu, Advocate (OPUC)
4. One Spare copy

KK

HIGH COURT

DR.SAJ

DT. 15-3-2018

ORDER

CRL.M.P. NO. 6207 OF 2017

IN

CRL.P. NO. 6092 OF 2017

STAY



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