

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2507 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') to quash the proceedings in Calendar Case No.157 of 2016 pending on the file of Special Judicial Magistrate Court - II, Ranga Reddy District at Rajendranagar, wherein the offence punishable under Section 138 of the Negotiable Instruments Act, 1881, is alleged against the petitioners.

2. The petitioners claim that petitioner No.1 is a Private Limited Company through its Director, Mr. S. Krishna Kumar, who in his individual capacity is petitioner No.2 and for bouncing of two cheques, the complainant filed a private complaint, which ultimately resulted in Calendar Case No.157 of 2016 being registered against the petitioners.

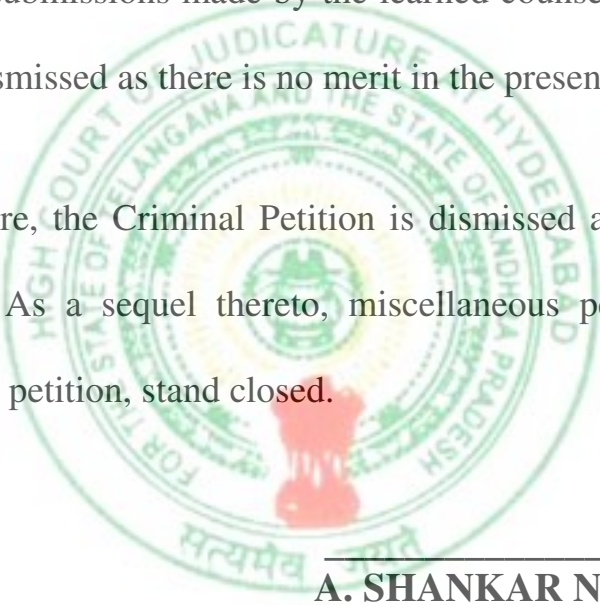
3. Heard Sri Gandham S.R. Prasad, the learned counsel for the petitioners.

4. The learned counsel would submit that the cheques were issued only as an assurance for having business contacts with respondent No.2 - complainant and, therefore, no legally enforceable debt would arise. His other submission is, subsequently the matter was compromised between the petitioners and respondent No.2 and,

in fact, a sum of Rs.10,00,000/- once and Rs.5,00,000/- again were paid at Chennai since the petitioners are located at Chennai, but subsequently, the matter could not be settled and now summons are issued and case stands posted to 28.03.2017.

5. What all has argued by the learned counsel would not give rise to viewing the proceedings in the said Calendar Case amounting to abuse of the process of law. Without referring to the probabilities based on the submissions made by the learned counsel, the petition is liable to be dismissed as there is no merit in the present petition.

Therefore, the Criminal Petition is dismissed at the admission stage itself. As a sequel thereto, miscellaneous petitions, if any, pending in the petition, stand closed.



A. SHANKAR NARAYANA, J

March 27, 2017.

Mgr