

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1249 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure requesting to quash the proceedings in C.C.No.220 of 2016 on the file of the Special Judicial First Class Magistrate (Excise), Guntur (Special Court, Prohibition and Excise, Guntur).

The offence alleged against the petitioner is punishable under Section 138 of the Negotiable Instruments Act.

Heard Sri I.Koti Reddy, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Andhra Pradesh on behalf of respondent No.1.

In fact, there is no tangible ground in the present petition so as to support the submission for quashment of the proceedings in the aforesaid Calender Case. In paragraph '4' of the present petition, what all stated is, that non-bailable warrant was issued on 17.11.2016, against the petitioner and, due to pendency of the warrant, the petitioner, being a Government employee, is unable to attend the Court. In paragraph '6' of the petition, it is stated that there is no legal debt and thereby issuance of cheque does not arise. But, it cannot be said that these grounds are enough to quash the proceedings against the petitioner.

Learned counsel for the petitioner submits that today the Court below has recalled the non-bailable warrant pending against the

petitioner and the petitioner has no grievance. Even otherwise, there is no tangible ground to quash the proceedings in the aforesaid Calender Case.

Accordingly, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous applications, if any, pending in this Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

14th February, 2017

v v

