

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.998 OF 2018

ORDER:

This petition is filed by the petitioner-A2 under Section 482 Cr.P.C. to quash the proceedings in STC No.124 of 2017 on the file of the Judl. Magistrate of II Class, Allagadda, which took cognizance of the case for offences punishable under Sections 3 and 4 of A.P. Gambling Act.

2. Heard learned counsel for the petitioner, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioner-A2 would submit that the petitioner-A2 is a practicing Advocate. As per the case of the prosecution, he was not playing cards. The petitioner-A2 has given a duplicate key of his room to the owner of the house. The owner of the house alleged to have allowed playing of cards in the room. The petitioner-A2 is in no way responsible for the allegations levelled against him and ultimately, prayed to allow the petition.

4. On the other hand, learned Assistant Public Prosecutor opposed the relief sought for by the petitioner in the petition.

5. The material on record reveals that on 25.08.2017, fourteen persons found playing cards in a room belonging to the petitioner. The petitioner is a tenant of the room. The confession of the owner of the room is that the petitioner was collecting money and facilitating the persons playing cards in his room. These allegations are required to be determined after due enquiry. It cannot be held that the petitioner is an innocent person and the continuation of

proceedings before the Court below would be an abuse of process of law. Therefore, the petition is devoid of merit and is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 01-02-2018.

Hsd

