

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.1227 OF 2018

ORDER:

This petition is filed by the petitioner-A1 under Section 482 Cr.P.C. to quash the proceedings in C.C.No.593 of 2011 on the file of the Judl. Magistrate of I Class, Miryalaguda, which was taken cognizance of the offences punishable under Sections 406 and 420 IPC.

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

3. Learned counsel for the petitioner would submit that the petitioner is a respectable person. The petitioner has nothing to do with the allegations made in the charge sheet as well as in the report lodged with the police. The petitioner has not collected any amount from the de facto complainant. The allegation that having received, the petitioner has credited the amount to the account of the de facto complainant is absolutely false. The money received from the de facto complainant was credited to her account. All the allegations are false. A3 was acquitted in the split up C.C. 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. As per the material placed on record, the petitioner collected different amounts on different occasions from the de facto complainant and others. There are allegations that the petitioner collected an amount of Rs.53,000/- from L.W.2, Rs.33,000/- from L.W.3 and

Rs.15,000/- from L.W.4. Till the end of April, 2011, the petitioner collected an amount of Rs.59,900/- from the de facto complainant and the same was not accounted for. The truth or other wise of the allegations can only be determined after due trial. The acquittal of A3 has nothing to do. The continuation of proceedings is not an abuse of process of law. Therefore, the petition is devoid of merit and is liable to be dismissed.

6. Learned counsel for the petitioner submits that the trial Court may be directed to expedite the trial of the case. Under these circumstances, the learned Judl. Magistrate of I Class, Miryalguda, is directed to complete the trial of the case within six (6) months from the date of receipt of a copy of this order.

7. With the above direction, the Criminal Petition is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DATED: 06-02-2018.
Hsd

DR.SHAMEEM AKTHER, J