

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.10447 of 2011

ORDER:

This criminal petition is filed, seeking for quash of the proceedings in C.C.No.186 of 2010, against the petitioner, who is A3, on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad. The offences alleged are under Sections 419, 420, 406 read with Section 34 of the Indian Penal Code.

2. Heard the counsel for the petitioner and the learned Public Prosecutor, appearing for the respondent.

3. The complaint is filed alleging cheating by A1 to A3. A3, who is the petitioner herein, is the wife of A1. The case against A1 and A2 was split up and was tried and the matter ended in acquittal. A perusal of the judgment in CC.No.186 of 2010 dated 09.11.2017 shows that the complainant and the victims were not examined by the prosecution in spite of granting sufficient time by the Court. The Court went on with the examination of other witnesses, who were cited as circumstantial witnesses and all of them turned hostile. The complainant, in spite of the judgment being passed on 09.11.2017, does not appear to have carried the matter in appeal. Hence, considering the same, this Court opines that continuation of further proceedings against the petitioner would only be futile.

In the light of the above, the criminal petition is allowed and the proceedings in C.C.No.186 of 2010, against the petitioner, who is A3, on the file of the XII Additional Chief Metropolitan Magistrate,

Hyderabad, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

September 28, 2018
DSK

T. RAJANI, J

