

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2942 of 2011

ORDER:

The criminal petition is filed for quash of the proceedings in Cr.No.214 of 2007 on the file of the Charminar Police Station, Hyderabad.

2. Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent in spite of notice.

3. The allegations as per the complaint are that the petitioner, who is the Advocate of the complainant, forged her signatures on the affidavit accompanying the interlocutory application, which was filed for condonation of delay in filing the revision, against the maintenance order and also the petition, which was filed to expedite the hearing.

4. The counsel for the petitioner now submits that by the date of filing the complaint on 08.11.2007, the arguments in the revision petition were completed and the revision itself was disposed of by virtue of the order dated 26.11.2007.

5. Even if it is accepted that the signatures of the complainant were forged on the said petitions, it was only for the benefit of the complainant and there is no loss caused to the complainant. Hence, the ingredients of the offence under Sections 465 IPC do not get attracted, as the intention of the person forging the documents should be to cause damage or injury to the victim. Hence, this Court opines

that continuation of further proceedings would only result in abuse of process of law.

The criminal petition is allowed and the proceedings in Cr.No.214 of 2007 on the file of the Charminar Police Station, Hyderabad, against the petitioner, are hereby quashed. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

January 2, 2018
DSK

T. RAJANI, J

