

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2281 of 2018

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/accused, seeking to quash the proceedings in C.C.No.722 of 2016 on the file of the Additional Judicial Magistrate of First Class, Markapur, Prakasam District, registered for the offence under Section 138 of the Negotiable Instruments Act, 1881.

2. Heard the learned counsel for the petitioner/accused, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioner/accused would submit that the de-facto complainant is a stranger to the petitioner/accused. The signature on the impugned cheque does not belong to the petitioner/accused and ultimately prayed to allow the application.

4. The contentions now raised before this Court are the factual aspects, which can be gone into in the course of trial and required to be answered by way of judgment in the Calendar Case. Those aspects cannot be decided under Section 482 of Cr.P.C. The Criminal Petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Criminal Petition is dismissed.

Pending Miscellaneous petitions, if any, shall stand closed.

Dr. Shameem Akther, J

26th February, 2018
Bvv