

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.9053 OF 2013

ORDER:

This criminal petition is filed under Section 482 Cr.P.C., to quash the proceedings in C.C.No.82 of 2013 on the file of the Judicial Magistrate of First Class, Ramannapet, Nalgonda District, against the petitioner/accused.

Heard learned counsel for the petitioner and the learned Public Prosecutor for the 2nd respondent. None appears for the 1st respondent, despite service of notice.

A copy of the complaint is also filed before this Court. It nevertheless shows that the petitioner made complaint to the Police that his cheque book was committed theft of. But, unless truth of the said complaint is adjudicated, it cannot be straightway concluded that the complaint given by the petitioner is genuine and that he did not issue the cheque. The delay in returning the cheque also is a fact which is to be adjudicated during trial. The fact remains that the cheque was presented to the bank and as to why there was delay is a fact which is to be decided during trial.

Hence, it is not a case where the proceedings can be quashed.

Criminal petition is accordingly dismissed.

As a sequel, miscellaneous petitions if any pending stand closed.

T. RAJANI, J

August 27, 2018
MRR