

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.13699 OF 2011

ORDER:

The present Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 is filed by the petitioner - accused seeking to quash the proceedings in Calendar Case No.1329 of 2008 on the file of the II Additional Chief Metropolitan Magistrate, Hyderabad, registered for the offence punishable under Section 138 read with 142 of the Negotiable Instruments Act, 1881.

2. Heard the learned counsel for the petitioner. None appears for respondent No.1.

3. The contention of the learned counsel for the petitioner is that the agreement of sale, in respect of which the cheque issued, was cancelled subsequently. But, he is not in a position to produce any evidence in support of his contention. The averments in the complaint show that the cheque was issued towards payment of part of sale consideration under the said agreement of sale.

4. Hence, considering the above, this Court opines that it is not safe to quash the proceedings at this stage, and accordingly, the present Criminal Petition is dismissed.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed.

SMT. T. RAJANI, J

November 14, 2018

Mgr

