

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2029 of 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner-A.1 to quash the proceedings against him in P.R.C. No.37 of 2012 on the file of the XVII Additional Chief Metropolitan Magistrate, Hyderabad.

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

3. Learned Assistant Public Prosecutor submits that there are judgments of the Apex Court that the criminal proceedings cannot be quashed in P.R.C.

4. As per the prosecution case, the offences alleged are under Sections 147, 148, 307 r/w 149 I.P.C. and Section 25(1)(a) of the Arms Act. The learned Magistrate has to make out a case to be triable by the Court of Session. After committal of the case to the Court of Session, the petitioner-A.1 is entitled to file an application before the Court of Session under Section 239 Cr.P.C. before framing of charges. The petitioner-A.1 is at liberty to seek appropriate relief before the Court of Session.

5. With the above observation, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

19th February, 2018
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Dr. SHAMEEM AKTHER, J