

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.8836 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the Charge sheet in C.C.No.802 of 2016 on the file of the II Additional Judicial First Class Magistrate, Bhimavaram.

2. Heard the learned counsel for the petitioners/A.1 and A.2, the learned Assistant Public Prosecutor representing the respondent No.1-State and perused the record.

3. The learned counsel for the petitioners would submit that there are no allegations to constitute the offences under Sections 420, 506, 509 r/w 34 I.P.C and ultimately prayed to allow the application.

4. The learned Assistant Public Prosecutor opposed the application.

5. As per the record placed before this Court, there are allegations of collecting money from the *de facto* complainant, who is an Engineering graduate to provide a job and the petitioner said to have been taken an amount of Rs.40,000/-. The said amount was paid by way of installment. There are also receipts issued by the petitioners in favour of the *de facto* complainant showing the receipt of the said amount. Having investigated the case, the police filed the charge sheet for the offences under Sections 420, 506, 509 r/w 34 I.P.C. There are also other allegations which require adjudication. There are no merits in this Criminal Petition. Therefore, the petition is liable to be dismissed.

6. However, In case of any exigency, the petitioners/A.1 and A.2 can file an appropriate application to dispense with their personal attendance as and when required.

7. Accordingly, this Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 26-02-2018

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