

**SMT. JUSTICE T. RAJANI**

**CRIMINAL PETITION NO. 4012 OF 2013**

**ORDER:**

This Criminal Petition is filed seeking quash of the Proceedings in C.C.No. 443 of 2012 on the file of the Court of VIII-Special Magistrate Court, Erra Manzil, Hyderabad.

2. Heard Sri P. Raj Kumar, learned counsel for the petitioner and Sri Gopala Rao Amancharla, learned counsel for the second respondent.

3. The case was filed based on a cheque issued by one Smt. Sri Lakshmi, who is stated to be the wife of this petitioner.

The offence alleged against the petitioner is under section 138 of Negotiable Instruments Act but unless the petitioner/accused is the signatory of the cheque, the said offence does not attract to him.

Hence, in view of the above, this Court opines that it is a fit case for quashing of the Proceedings in C.C.No.443 of 2012 on the file of the Court of VIII-Special Magistrate, Erra Manzil, Hyderabad.

4. In the result, this Criminal Petition is allowed and the Proceedings in C.C.No. 443 of 2012 on the file of the Court of VIII-Special Magistrate, Erra Manzil, Hyderabad be and is hereby quashed.

5. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand disposed of.



13-08-2018  
I s L

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[ALLOWED]



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