

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1668 of 2018

ORDER:

Heard the learned counsel for the petitioner and the learned Special Standing counsel for CBI for the respondent.

The present revision case is filed questioning the orders passed in CrI.M.P.No.801 of 2017 in C.C.No.23 of 2016 dated 15.05.2018 on the file of the Court of Principal Special Judge for CBI Cases, Hyderabad, dismissing the petition filed under Section 239 Cr.P.C., to discharge the petitioner for the charges levelled against him.

The facts of the case are that the petitioner is arrayed as A1 vide RC.05(E)/2016 dated 19.02.2016 for the offences under Section 120-B read with Sections 420 and 471 IPC and Section 13(2) read with 13(1)(d) of the Prevention of Corruption Act, 1988. The investigating agency, after completion of the investigation, filed a charge sheet. The learned Principal Special Judge has taken cognizance of the matter and numbered the case as C.C.No.23 of 2016. During the pendency of the proceedings, the petitioner filed CrI.M.P.No.801 of 2017 to discharge him for the offences alleged against him. The respondent agency filed counter and opposed the same. After hearing, the learned Principal Special Judge for CBI Cases, Hyderabad, dismissed the petition by order dated 15.05.2018. Aggrieved by the same, the present revision case is filed.

Learned counsel appearing for the petitioner submitted that no case is made out against the petitioner for the charges leveled against him. In fact, he is not the sanctioning authority since the

credit facilities as well as the letter of credit were sanctioned by the Head Office Credit Approval Committee of the Executive Directors of the Bank apart from other aspects.

However, when this Court raised certain quarries with regard to the scope of Section 239 Cr.P.C., vis a vis the role played by the petitioner, the learned counsel for the petitioner sought permission of the Court to withdraw the revision case.

Accordingly, the criminal revision case is dismissed as withdrawn.

Miscellaneous petitions, if any, shall also stand dismissed.

Learned counsel for the petitioner submitted that the petitioner is coming from Ludhiana, State of Punjab, and there is personal inconvenience for him to attend on each and every date of hearing and requested the Court to dispense with his presence except on the dates where his presence is required.

Taking into consideration the said submission, the presence of the petitioner in C.C.No.23 of 2016 on the file of the Court of the learned Principal Special Judge for CBI Cases, Hyderabad, is dispensed with except on the dates where his presence is required.

P. KESHA RAO, J

Date: 03.07.2018.
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Note: Furnish C.C. by tomorrow.
B/o.
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