

SMT JUSTICE T. RAJANI

CRIMINAL PETITION Nos.6654 and 12821 of 2011

COMMOM ORDER:

These petitions are filed, by the petitioners, who are A6 and A7 respectively, seeking for quashing of the proceedings against them, in C.C.No.3 of 2011 on the file of the Court of Metropolitan Sessions Judge at Nampally, Hyderabad. The offences alleged against the petitioners are under Sections 409, 420 r/w 34 IPC and Section 5 of APPDFE Act.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing, for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioners submits that the petitioners are no longer Directors in the Vasundara Cooperative Urban Bank Limited and that they resigned much prior to the alleged date of transaction. But a perusal of the charge sheet would show that it is very much mentioned that they are ex directors. The allegations are that they got the loan sanctioned and that the amounts were utilised to close the overdue amounts.

4. Hence, unless due enquiry is taken up, the true facts of the case and the role of the petitioners would not come out.

5. Hence, this court opines that it is not a fit case to quash the proceedings at the stage of crime.

6. With the above observations, the Criminal Petitions are allowed and the proceedings against the petitioners, who are A6 and A7 respectively, in C.C.No.3 of 2011 on the file of the Court of Metropolitan Sessions Judge at Nampally, Hyderabad, are quashed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

August 27, 2018
LMV

T. RAJANI, J

