

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.9080 OF 2011

ORDER:

This petition is filed, by the petitioner, seeking for quash of the proceedings, dated 11.08.2011, passed in CrI.M.P.No.4297 of 2011 in C.C.No.59 of 2010 by the Court of XVI Additional Judge-cum-XX Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing, for the 6th respondent as well as the counsel appearing for respondents 1 and 2 and the counsel appearing for respondent No.5.

3. The counsel for the petitioner submits that this court considered a similar petition filed by the wife of this petitioner viz., CrI.P.No.9151 of 2011, and by order, dated 07.09.2018, allowed the same by considering the facts of the said case, which are similar to the facts of this case, and the transaction pertaining to the said case and this case is one and the same.

4. Hence, in terms of the said order and for the reasons mentioned therein, this court opines that the order of the court below is liable to be set aside.

5. The Criminal Petition is allowed setting aside the order, dated 11.08.2011, passed in CrI.M.P.No.4297 of 2011 in C.C.No.59 of 2010 by the Court of XVI Additional Judge-cum-XX Additional Chief Metropolitan Magistrate, Nampally, Hyderabad,

Office to append a copy of the order of this court, dated 07.09.2018, passed in CrI.P.No.9151 of 2011.

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

T.RAJANI, J

September 18, 2018
LMV

