

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.6715 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C by the petitioner/accused seeking to quash the proceedings against him in C.C No. 201 of 2017 on the file of XV Metropolitan Magistrate, Medchal, Cyberabad, registered for the offences under Sections 420, 468, 471, 465, 464 & 466 IPC.

It is informed that the matter is coming up for framing of charges.

Brief facts of the allegations in the charge sheet are that the accused who was appointed as Attender in backlog vacancy in Agricultural Market Committee, Medchal, R.R. District, has produced a bogus SC Caste certificate instead of BC (D) caste certificate at the time of his appointment.

Opposing the allegations, learned counsel for petitioner/accused vehemently argued that the petitioner indeed belongs to SC community and to that affect he was given caste certificate after thorough enquiry, which he produced before the authorities for securing the job and he has not cheated anybody.

This Court is of the considered view that whether the petitioner was issued Caste certificate after due enquiry and he belongs to SC community or not is a matter of fact which cannot be decided in the limited enquiry under Section 482 Cr.P.C.

Therefore, the Criminal Petition is dismissed, of course, with a liberty to the petitioner/accused to file an appropriate application seeking his discharge if he is so advised, in which case, the trial Court shall dispose of the said application on merits expeditiously.

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

Date: 25.04.2018
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U.DURGA PRASAD RAO, J

