

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.11392 of 2011

ORDER:

The criminal petition is filed seeking quash of the proceedings in CC.No.119 of 2009, against the petitioner, who is A3, on the file of the XIV Metropolitan Magistrate, Hyderabad. The offences alleged are under Sections 420 and 120-A of the Indian Penal Code.

2. Heard the counsel for the petitioner and the learned Public Prosecutor appearing for the first respondent. None appears for the second respondent in spite of paper publication.

3. The counsel for the petitioner submits that the petitioner is only a third party purchaser and that he does not have any role to play in the alleged offence. He also brings to the notice of this Court the order passed by this Court in CRLP.No.3514 of 2003 and batch dated 02.09.2011 by virtue of which this Court quashed the proceedings against A1 in this crime.

4. The observations made in the said order are that on the earlier complaint filed against A1 a final report was filed referring it a civil case and instead of filing protest petition against the same, the complainant filed a fresh complaint. Hence, for the same reasons, this petition also deserves to be allowed, more so, because in the first complaint also this petitioner did not figure as an accused.

In the light of the above, the criminal petition is allowed and the proceedings in CC.No.119 of 2009, against the petitioner, who is A3, on the file of the XIV Metropolitan Magistrate, Hyderabad, are hereby

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

December 12, 2018
DSK

T. RAJANI, J

