

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No. 12727 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in CrI.M.P.No.338 of 2012 in S.C.No.93/S/2008 on the file of the IV Additional District & Sessions Judge, Guntur.

2. Having argued for some time, the learned counsel for the petitioners seeks permission of this Court to withdraw the Criminal Petition. The learned counsel has relied on a decision reported in **Girish Kumar Suneja v. C.B.I.**¹, wherein it is held that when a revision to the High Court against the interlocutory order of the Subordinate Court is expressly barred under sub-section (2) of Section 397 Cr.P.C., the inherent powers contained in Section 482 Cr.P.C. are not available to defeat the bar contained in Section 397(2) Cr.P.C.

3. In view of the above, the Criminal Petition is not maintainable and as such it is dismissed. Miscellaneous petitions, if any pending in this Criminal Petition, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 26-02-2018
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¹ AIR 2017 SC 3620