

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1798 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.3 to quash the proceedings in C.C.No.135 of 2017 on the file of the Additional Judicial Magistrate of First Class, Shadnagar, registered for the offences punishable under Section 138 read with 142 of the Negotiable Instruments Act, 1881.

2. Heard both sides and perused the record.

3. It has been contended on behalf of the petitioners/A.1 to A.3 that the dispute between the parties was compromised before the Lok Adalat before the XI Metropolitan Magistrate, Cyberabad, on 08.04.2017. The disputed cheques referred in the subject Calendar Case as well as in Crime No.76 of 2017 of Chaitanyapuri Police Station, Rachakonda Commissionerate (which is compromised and settled before the Lok Adalat) are one and the same. The petitioners/A.1 to A.3 gave a detailed reply when a statutory notice was issued to them. Trial of the subject Calendar Case on the same set of allegations and between the same parties would amount to double jeopardy and ultimately prayed to allow the application.

4. On the other hand, the learned Additional Public Prosecutor representing the 1st respondent State opposed the relief sought by the petitioners/A.1 to A.3.

5. At this stage of dictating the order, the learned counsel for the petitioners/A.1 to A.3 sought permission of this Court to withdraw this Criminal Petition. Permission is accorded.

6. Accordingly, this Criminal Petition is dismissed as withdrawn.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

02nd April, 2019
Bvv

