

THE HON'BLE JUSTICE G.SRI DEVI

Criminal Petition No.3008 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/A.17, to quash the proceedings against him in C.C.No.151 of 2015 on the file of the Principal Special Judge for SPE & ACB Cases, Hyderabad, registered for the offences punishable under Sections 7, 12, 13(1)(c) & (d) read with 13(2) of the Prevention of Corruption Act, 1988 and Sections 109, 465, 468, 471 read with 120B of IPC.

2. Heard the learned counsel for the petitioner/A.17, the learned Special Public Prosecutor for ACB representing the respondents and perused the record.

3. The learned counsel for the petitioner/A.17 would submit that the petitioner/A.17 is a civil contractor. The main allegation against him is that he submitted fake invoices and sale letter in respect of a Road Roller, as genuine documents for registration of the said vehicle and bribed A.1 (RTO, Nizamabad) to get the said vehicle registered in his name. He is an innocent person and falsely implicated in the case. There is no material against the petitioner/A.17 to proceed against him. Due to the registration of the subject crime against the petitioner/A.17, he is not able to do contract works and became jobless and facing huge financial problems and ultimately prayed to allow the application.

4. On the other hand, the learned Special Public Prosecutor for ACB representing the respondents would submit that there is ample evidence on record to prove the guilt of the petitioner/A.17. It is not a fit case to quash the proceedings against him in the subject Calendar Case and ultimately prayed to dismiss the application.

5. Looking into the allegations levelled against the petitioner/A.17 in the F.I.R., it cannot be said that no cognizable offence is made out against the petitioner/A.17. At this stage, the proceedings in the subject Calendar Case cannot be quashed against the petitioner/A.17. However, the Court below may not insist for the personal appearance of the petitioner/A.17 on each and every date of adjournment, unless his personal appearance is so warranted.

6. With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

19th June, 2019
Bvv

JUSTICE G.SRI DEVI