

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER
TRANSFER CRIMINAL PETITION Nos.267, 268, 269 AND
274 OF 2018

COMMON ORDER:

Tr.CrI.P.Nos.267 and 269 of 2018, under Section 407 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), are filed by the petitioner/accused seeking to withdraw C.C.Nos.86 and 87 of 2017 from the file of IV Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, and transfer the same to any other Court at Hastinapuram.

2. Tr.CrI.P.No.268 of 2018, under Section 407 Cr.P.C., is filed by the petitioner/accused seeking to withdraw C.C.No.56 of 2017 from the file of V Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, and transfer the same to any other Court at Hastinapuram.

3. Tr.CrI.P.No.274 of 2018, under Section 407 Cr.P.C., is filed by the petitioner/accused seeking to withdraw C.C.No.101 of 2017 from the file of VI Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, and transfer the same to any other Court at Hastinapuram.

4. Heard learned counsel for the petitioners/accused, learned counsel for respondent No.2/complainant and the learned Additional Public Prosecutor representing respondent No.1/State. Perused the record.

5. Learned counsel for the petitioners/accused would submit that in all the subject Calendar Cases, the petitioners/accused are being prosecuted for the offence alleged under Section 138 of the Negotiable Instruments Act, 1881 (for short, 'the N.I. Act'); that respondent No.2/complainant in all the subject Calendar Cases is one and the same and ultimately, prayed to allow the petitions, as prayed for.

6. Learned counsel for respondent No.2/complainant in all the cases would submit that in C.C.Nos.86 and 87 of 2017 pending on the file of IV Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, evidence has already been recorded and C.C.Nos.56 and 101 of 2017 are pending before different Courts and ultimately, prayed to dismiss the petitions.

7. Since, in all the cases, petitioners/accused are being prosecuted for the offence alleged under Section 138 of the N.I. Act and similar contentions are involved in all the cases, to reach to just conclusion, it is necessary to order the adjudication by one Court.

8. Under these circumstances, C.C.Nos.56 and 101 of 2017 pending on the files of V Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, and VI Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, respectively, are withdrawn and transferred to the file of IV Special Magistrate, Ranga Reddy District at Hastinapuram, L.B. Nagar, where C.C.Nos.86 and 87 of 2017 are pending. On transfer of

C.C.Nos.56 and 101 of 2017, the learned IV Special Magistrate Ranga Reddy District at Hastinapuram, L.B. Nagar, shall dispose of all the Subject Calendar Cases in accordance with law.

9. Accordingly, Tr.CrI.P.Nos.268 and 274 of 2018 are allowed and Tr.CrI.P.Nos.267 and 269 of 2018 are dismissed.

Miscellaneous Petitions, if any, pending in these Transfer Criminal Petitions shall stand closed.

March 28, 2019.
MD

Dr. SHAMEEM AKTHER, J

