

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.13858 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused seeking to quash the proceedings in C.C.No.4812 of 2018 on the file of XI Metropolitan Magistrate, Cyberabad at L.B.Nagar, wherein the petitioner/accused is being prosecuted for the offences punishable under Sections 353 and 506 I.P.C.

2. Heard the learned counsel for the petitioner/accused, learned Additional Public Prosecutor appearing for the 1st respondent-State and perused the record.

3. It has been contended that though charge sheet is filed for the offences punishable under Sections 353 and 506 I.P.C against the petitioner/accused, there is no material/grounds to frame charges for the said offences and proceed with trial of the case; that pendency of subject Calendar Case is nothing but abuse of process of law and ultimately, prayed to allow the application.

4. In the course of submissions, it is brought to the notice of this Court that charges are not yet framed in the subject Calendar Case by the trial Court.

5. A hearing is contemplated under Section 239 Cr.P.C before the charges are framed and the accused is proceeded against. Leaving open to the petitioner/accused to agitate his grievance

before the trial Court and seek discharge in accordance with law,
this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal
petition shall stand closed.

Dr. SHAMEEM AKTHER, J

APRIL 09, 2019
YVL



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Date:09.04.2019

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