

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL REVISION CASE No.3016 of 2018

ORDER :

This Criminal Revision Case is filed by the petitioner, who is A.2, under Sections 397 and 401 Cr.P.C. challenging the order dt.17.07.2018 in CrI.M.P.No.2587 of 2017 in C.C.No.27 of 2014 passed by the Principal Special Judge for CBI Cases, Hyderabad, in dismissing the application filed by the petitioner to discharge him from the above C.C.No.27 of 2014.

A charge sheet came to be filed against the petitioner/A.2 and others in relation to an alleged fraud in availing certain credit facilities on behalf of A.14 Company by A.3, A.4 and A.7 upto a limit of Rs.5.00 Crores from Bank of Maharashtra, S.D. Road Branch, Secunderabad, which ultimately turned out to be NPA, causing wrongful loss to it to a tune of Rs.4,57,86,355/- and wrongful gain to themselves. Basing on the Preliminary Enquiry Report, the respondent/CBI registered a case in RC.No.05(A)/2013 against the accused persons and cognizance was taken for the offences punishable under Sections 120-B, 409, 468 and 471 of IPC and Section 13(2) r/w. Section 13(1)(c) and (d) of Prevention of Corruption Act, and process was directed to be issued for appearance of the accused in the Court.

At that stage, the petitioner/A.2 filed the above application in Crl.M.P.No.2587 of 2017 in C.C.No.27 of 2014 under Section 239 of Cr.P.C. to discharge him from the above case. After hearing both sides and basing on the material available on record, the Court below dismissed the said application vide order dt.17.07.2018. Hence the present Criminal Revision Case.

Heard learned counsel for the petitioner/A.2 and the learned Special Public Prosecutor appearing for the respondent – CBI.

Though learned counsel for the petitioner/A.2 sought to set aside the said order dt.17.07.2018 and to discharge the petitioner/A.2 from the above case, since it has been submitted by the learned Special Public Prosecutor appearing for the respondent – CBI that so far out of 49 witnesses, as many as 27 witnesses have been examined in C.C.No.27 of 2014 and also in terms of the judgment dt.10.03.2017 in Crl.A.No.536 of 2017 (arising out of SLP (Crl.) No.7147 of 2015) passed by the Hon'ble Apex Court, no useful purpose would be served in continuing the present Criminal Revision Case.

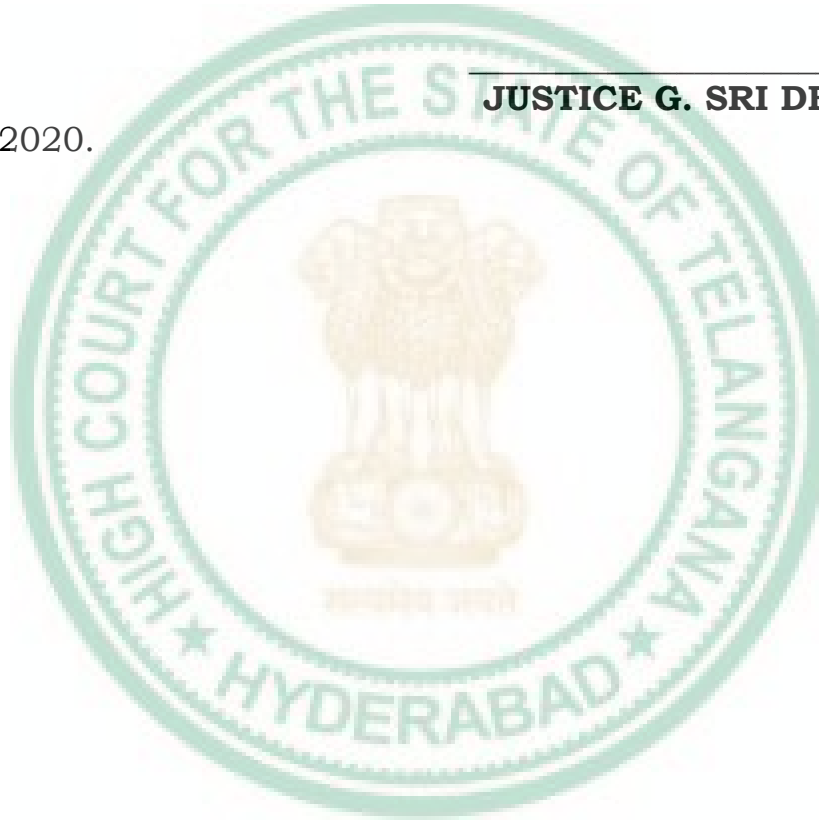
Accordingly, this Criminal Revision Case is disposed of directing the learned Principal Special Judge for CBI Cases, Hyderabad, to commence and conclude the trial in the above case on day-to-day basis without giving any unnecessary adjournments to any of the parties, as expeditiously as

possible, preferably within a period of four (4) months from the date of receipt of a copy of this order. However, personal appearance of the petitioner/A.2 is hereby dispensed with while permitting him to mark his appearance through his counsel, except on the dates when his presence is specifically required by the said Court.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

20.02.2020.
Msr

JUSTICE G. SRI DEVI



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