

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY, THE FIFTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO: 7197 AND 7200 OF 2020

CRIMINAL PETITION NO: 7197 OF 2020

Between:

Yalapally Parameswar Rao, S/o. Thirupal, Aged 34 years, Occ. Security Officer in Hyatt Hotel at Road No.2, IT Park, Gachibowli, R/o. Plot No.325, Subhash Chandrabose Nagar, New Hafeezpet, Sherlingampally Mandal, Ranga Reddy District.

...Petitioner/Accused No.4

AND

1. The State of Telangana, represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

...Respondent

2. Alkapally Bhanu Kumar, S/o. A. Srinivas, Aged about 21 years, Occ. Private Employee, R/o. H.No.11-2-439/E17, Sitaphalmandi, Secunderabad.

...Respondent/Defacto Complainant

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to the FIR No. 536 of 2019 dated 05-10-2019 on the file of Police Station Gachibowli, Cyberabad and quash the same thereon as against the Petitioner/Accused No. 4 herein.

I.A. NO: 1 OF 2020

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in FIR No. 536 of 2019 dated 05-10-2019 on the file of Police Station Gachibowli, Cyberabad, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s Prabhakar Sripada, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No.1 and of Sri G. Giridhar, Advocate for the Respondent No. 2.

CRIMINAL PETITION NO: 7200 OF 2020

Between:

1. Smt. Roshan Rajpal, D/o. Col. Kewalramani, Age.48 years, Occ.Former General Manager, Hyatt Hyderabad Gachibowli, R/o. Staff Quarters, Hyatt Hyderabad, Road No. 2, IT Park, Gachibowli Hyderabad.
2. Saurabh Singh, S/o. Rajesh Kumar Singh, Age.29 years, Occ. Front Desk Manager, R/o. Staff Quarters, Hyatt Hyderabad, Road No. 2, IT Park, Gachibowli, Hyderabad.
3. Debank Kapoor, S/o. Ramesh Kapoor, Age.32 years, Occ. Director, Sales and Marketing, R/o. Staff Quarters, Hyatt Hyderabad, Road No. 2, IT Park, Gachibowli, Hyderabad.

...Petitioner/Accused No.1 to 3

AND

1. The State of Telangana, represented by its Public Prosecutor, High Court for the State of Telangana at Hyderabad.

...Respondent

2. Alkapally Bhanu Kumar, S/o. A. Srinivas, Aged about 21 years, Occ. Private Employee, R/o. H.No.11-2-439/E17, Sitaphalmandi, Secunderabad.

...Respondent/Defacto Complainant

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to the FIR No. 536 of 2019 dated 05.10.2019 on the file of Police Station Gachibowli, Cyberabad and quash the same thereon as against the Petitioners/Accused No 1 to 3 herein.

I.A. NO: 1 OF 2020

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to grant stay of all further proceedings in FIR No. 536 of 2019 dated 05.10.2019 on the file of Police Station Gachibowli, Cyberabad, pending disposal of the above Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s. Prabhakar Sripada, Advocate for the Petitioner and the Assistant Public Prosecutor on behalf of the Respondent No.1 and of Sri G. Giridhar, Advocate for the Respondent No. 2.

The Court made the following: COMMON ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION Nos.7197 and 7200 OF 2020

COMMON ORDER:

Criminal Petition Nos.7200 and 7197 of 2020, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), are filed by the petitioners/A.1 to A.3 and petitioner/A.4, respectively, seeking to quash the proceedings against them in Crime No.536 of 2019 of Gachibowli Police Station, Cyberabad, registered for the offences under Sections 188, 323, 341, 384, 427 r/w 34 IPC.

2. Heard the learned counsel for the petitioners/A.1 to A.3 and A.4, learned Assistant Public Prosecutor for the respondent No.1/ State, learned counsel for the respondent No.2/*de facto* complainant and perused the record.
3. The learned counsel for the respondent No.2/*de facto* complainant filed counter affidavit and submitted that due to mistake of fact, a report was lodged with the police and now the respondent No.2/*de facto* complainant does not want to pursue the criminal case.
4. Recording the said submission, it is for the Investigating Officer, to examine the issues in between the parties and do the needful, in accordance with law.
5. With the above observation, both the Criminal Petitions are disposed of.

Miscellaneous Petitions, if any, pending in both the Criminal
Petitions shall stand closed.

SD/- K. ONESIM
ASSISTANT REGISTRAR

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SECTION OFFICER

To,

1. The XII Additional Metropolitan Magistrate, Kukatpally, at Prashanthi Nagar, Cyberabad.
2. The Station House Officer, Gachibowli Police Station, Cyberabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad [OUT]
4. One CC to M/s. Prabhakar Sripada Advocate [OPUC]
5. One CC to Sri. G. Giridhar, Advocate [OPUC]
6. Two CD Copies
7. One Spare Copy

MMK
TP



HIGH COURT

DATED: 15/09/2021

COMMON ORDER

CRLP.No.7197 and 7200 of 2020



DISPOSING OF THE BOTH CRIMINAL PETITIONS

ATM
22/9/2021 (9)