

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

**TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION NO: 5493 OF 2022

Between:

Tharun Kumar Reddy, S/o. Late Chandrashekar Reddy, Aged. 30 years, Occ. Pvt. Employee, R/o. Plot No-73 and 78, Flat No-G2, Nelsri Enclave, Kolan Narayana Reddy Colony, Opp Sri Chaitanya Medicon Acedemy, Nizampet, K.V.Rangareddy, Telangana-90.

...PETITIONER/ACCUSED

AND

1. The State of Telangana and Another, Rep. by its Public Prosecutor, High Court Buildings, High Court Through P.S. Bachupally, Ranga Reddy.
2. Annapareddy Bala Mounika, W/o. Tarun Kumar Reddy, Aged. 25 years, Occ. Housewife, R/o. H.No.5-3-1/92, Morjampadu Village, Manchavaram Mandal, Guntur District.

...RESPONDENT/COMPLAINANTS

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 quash the proceedings against the petitioner in Crime No.342 of 2022 on the file of P.S.Bachupally.

I.A. NO: 2 OF 2022

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 stay of all further proceedings against the petitioner in Crime No.342 of 2022 on the file of P.S.Bachupally, pending disposal of the this Quash Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri

NAGESHWAR RAO PUJARI ,Advocate for the Petitioner and the Public Prosecutor (TG/AP) on behalf of the Respondent No. none appeared for the Respondent No. 2.

The Court made the following: ORDER

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

CRIMINAL PETITION No.5493 of 2022

ORDER

Seeking to quash the proceedings that are pending against the petitioner/Accused No.1 in Crime No.342 of 2022 of Bachupally Police Station, the present criminal petition is filed.

2. Heard the submission of learned counsel for the petitioner as well as learned Assistant Public Prosecutor.

3. Learned counsel for the petitioner submits that on 27.06.2022, he stated before this Court that the petitioner/Accused No.1 is ready to return the original certificates as well as other things mentioned in the complaint to respondent No.2/defacto complainant. But the statement made is false and without instructions he made the said statement and therefore, the order dated 27.06.2022 may be recalled.

4. A perusal of the complaint discloses that the main dispute arose when the petitioner failed to return the certificates that belong to respondent No.2/defacto complainant. Having regard to the stand taken on

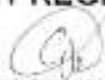
27.06.2022 that the certificates are available with the petitioner and having regard to the submission made on this day that the certificates are not available with the petitioner, this Court is of the view that there is every necessity for the police to investigate the case and proceed further. It appears that the learned counsel for the petitioner is not aware of the factual situation. Further, the criminal petition is filed to quash the proceedings that are pending against the petitioner in Crime No.342 of 2022 of Bachupally Police Station. As earlier indicated, the main allegation is that the petitioner/Accused No.1 failed to return the original certificates of respondent No.2/defacto complainant. Thus having regard to the facts narrated supra, this Court is of the view that it would be better to direct the police to investigate the case and to take decision as per the material collected during the course of investigation. Interference of this Court as of now is unwarranted. The proceedings under Section 482 of Cr.P.C cannot be put to misuse.

5. Therefore, the criminal petition is dismissed granting liberty to the petitioner to move a fresh application, in case cause survives on completion of investigation.

Pending miscellaneous applications, if any, shall stand closed.

SDI-K.ONESIM
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Addl. Junior Civil Judge-Cum-X Addl. Metropolitan Magistrate, Kukatpally, Hyderabad.
2. The Station House Officer, Bachupalli Police Station, Cyberabad.
3. Two CC to Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to SRI NAGESHWAR RAO PUJARI Advocate [OPUC]
5. Two CD Copies.
6. One Spare Copy.

NPJ



HIGH COURT

DATED:19/07/2022



ORDER

CRLP.No.5493 of 2022

**DISMISSING OF THE CRIMINAL PETITION
WITHOUT COSTS.**

⑧ VW
17/8/22