

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

**THURSDAY, THE TWENTY NINTH DAY OF DECEMBER  
TWO THOUSAND AND TWENTY TWO**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**CRIMINAL PETITION NO: 10630 OF 2022**

**Between:**

M/s. Nandi Grain Derivatives Pvt Ltd, Rep. by its Manager Mr. V Venkata Rao, O/o. 1st Floor, Plot No. 188, Phase - II, Kamalapuri Colony, Hyderabad - 500 073 State of Telangana.

**...PETITIONER/ACCUSED-1**

**AND**

1. The State of Telangana, Rep. by its Special Public Prosecutor, for CBI High Court for the State of Telangana at Hyderabad, Through The Superintendent of Police and HOB, CBI, ACB, Hyderabad, O/o. 3rd Floor, Kendriya Sadan, Sultan Bazar, Koti, Hyderabad - 500 095 State of Telangana.
2. The Assistant General Manager, Bank of Baroda, Khusru Jung House, Secretariat Road, Saifabad, Hyderabad - 500 004.

**...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 F.I.R. filed by the CBI, ACB, Hyderabad through Crime No. RC0352021A0021 of 2021, Dated. 30.11.2021 on the file of the Police Station, CBI, ACB Hyderabad

**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 in Crime No. RC0352021A0021 of 2021 dated 30th November 2021 on the file of the Police Station, CBI, ACB Hyderabad pending disposal of the quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KADIYALA RAVI CHANDRA MOHAN, Advocate for the Petitioner and of the Special Public Prosecutor for CBI on behalf of the Respondent No.1 and None Appeared for the Respondent No. 2

**The Court made the following: ORDER**

**THE HONOURABLE SRI JUSTICE K.SURENDER****CRIMINAL PETITION No.10630 OF 2022****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.1 to quash the proceedings against him in Crime No.RC0352021A0021 of 2021 on the file of CBI, ACB Hyderabad.

2. Heard learned counsel for the petitioner and learned Special Public Prosecutor for the respondent No.1 – State. Perused the record.

3. The petitioner is Accused No.1 against whom the Assistant General Manager of Bank of Baroda lodged a complaint alleging that the company and others have conspired with unknown public servants and availed loans from Bank of Baroda, Banjara Hills and the said transactions resulted in loss of Rs.61.86 crores to the bank.

4. The modus adopted by the petitioner company and others amounts to offences of cheating, forgery and using fabricated documents as genuine.
5. On the basis of the said complaint, FIR was registered by the Anti Corruption Branch of CBI, Hyderabad.
6. The learned counsel appearing for the petitioner would submit that in fact the entire loan amounts are paid and there are several issues which are predominantly civil in nature and no criminal offences are made out on facts of the case.
7. On the other hand counsel appearing for CBI and the bank submits that there are several issues of forging documents and involvement of public servants to be investigated, with respect to the transactions resulting in loss to the bank to an extent of Rs.61.86 crores.
8. This Court under Section 482 of Cr.P.C. cannot undertake the exercise of any enquiry or investigate into whether the transactions in question make out any of the offences of cheating or forging documents.

9. Since there are several transactions which have to be ascertained during the course of investigation, this Court deems it appropriate to dismiss the present application seeking quashing of the proceedings in Crime No.RC0352021A0021 of 2021 on the file of CBI, ACB Hyderabad.

10. Accordingly, the Criminal Petition is dismissed. Needless to say the petitioner is at liberty to move this Court in the event of the investigating agency filing any charge sheet.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/- C. PRAVEEN KUMAR  
ASSISTANT REGISTRAR

  
SECTION OFFICER

- To,
1. The Special Judge for CBI Cases, Hyderabad
  2. The Station House Officer, ACB, Police Station, Hyderabad
  3. Two CCs to Special Public Prosecutor for CBI, High Court for the State of Telangana at Hyderabad [OUT]
  4. One CC to SRI K.RAVI CHANDRA MOHAN, Advocate [OPUC]
  5. Two CD Copies

EDS

BSR



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HIGH COURT

DATED:29/12/2022

ORDER

CRLP.No.10630 of 2022



DISMISSING THE CRIMINAL PETITION

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