

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

**FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY TWO**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 11874 OF 2022

Between:

Sharad Singh Thakur, S/o. Manmohan Singh Thakur, Age.42 yrs, Occ.
Business, R/o.H.No.8-2-211, Kummariguda, Secunderabad – 500003

...PETITIONER/ACCUSED No.7

AND

1. The State of Telangana, rep. by its Public Prosecutor High Court for the state of Telangana
2. The Station House Officer, PS Chilkaiguda, Gopalapuram Division

...RESPONDENTS

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 in C.C.No.2739 of 2021 on the file of the X Additional Chief Metropolitan Magistrate, at Secunderabad registered under Sec. 34 (A) of T.S. Excise Act against the petitioner/accused nos.2

I.A. NO: 1 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 including the appearance of the petitioner/accused no.7 in C.C.No.2739 of 2021 on the file of the X Additional Chief Metropolitan Magistrate, at City Civil Court, Secunderabad registered under sec. Act, 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 Sri A S Bhaskara Giri, Advocate for the Petitioner and the Additional Public Prosecutor on behalf of the Respondents

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.11874 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.7 to quash the proceedings against him in C.C.No.2739 of 2021 pending on the file of learned X Additional Chief Metropolitan Magistrate, City Civil Court at Secunderabad. The offences alleged against them are under Section 34-A TS Excise Act.

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

3. Learned counsel for the petitioner confines his prayer to dispense with the attendance of the petitioner-Accused No.7.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioner herein – Accused No.7 is dispensed with in C.C.No.2739 of 2021 pending on the file of learned X Additional Chief Metropolitan Magistrate, City Civil Court at Secunderabad, when represented by his counsel on record. The attendance of the petitioner-accused No.7 is dispensed with subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in

any manner and also he shall not dispute his identity. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of the petitioner failure to appear when the Court directs, this order dispensing his attendance would stand cancelled.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/-P.GOWRI SHANKAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The X Additional Chief Metropolitan Magistrate, City Civil Court at Secunderabad
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
3. The Station House Officer, PS Chilkalguda, Gopalapuram Division
4. One CC to Sri A S Bhaskara Giri, Advocate [OPUC]
5. Two CD Copies

plp

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HIGH COURT

DATED:30/12/2022

ORDER

CRLP.No.11874 of 2022



DISPOSING OF THE CRIMINAL PETITION

(8)

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19/1/23