

THE HON'BLE DR. JUSTICE D.NAGARJUN

CRIMINAL PETITION No.11455 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure for quash of the proceedings against the petitioner-accused No.1 in C.C.No.955 of 2015 on the file of learned XV Metropolitan Magistrate, Cyberabad at Medchal registered for the offence under Section 138 of the Negotiable Instruments Act.

2. There is no representation on behalf of the petitioner since long time. A direction was given to the petitioner to take out notice to respondent No.2 but the petitioner failed to comply with the said direction. Even today also there is no representation on behalf of the petitioner, inspite of posting this case under the caption "for dismissal". It appears that the petitioner is not interested to prosecute this case.

3. As seen from the record, no interim stay was granted by this Court and thereby the main case before the trial Court, which is filed under Section 138 of the Negotiable Instruments Act in the year 2015, might have been disposed of by the trial Court. Perhaps, this could be the reason, for not having representation on behalf of the petitioner.

4. In view of the above facts and circumstances and since the petitioner is not evincing any interest to prosecute this case, the criminal petition is liable to be dismissed for non prosecution.

5. Accordingly, the Criminal Petition is dismissed for non prosecution.

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

Date: 27.07.2022
AS

DR. D.NAGARJUN, J