

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 176 OF 2020

Between:

Mohd. Mukkram Ali, S/o. Mohd. Nizam Ali, Aged about 38 years, Occ. Ex Corporator, R/o. H. No. 23-1-977/A and 978, Moghalpura, Hyderabad, Telangana State.

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana, Rep. by its Public Prosecutor, High Court at Hyderabad, Through SHO, P.S., Charminar, Hyderabad, Telangana State.
2. Vishal Dhananiwala, S/o. Not known to the petitioner, Aged major, R/o. H. No. 4-3-58/3D, Basara Raod, Bhaisa, Adilabad District.

...RESPONDENTS/DE-FACTO/ 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 quash the proceedings against the petitioner / Accused No. 2 in C.C. No. 618 of 2018 of Police Station Charminar, Hyderabad on the file of XIV Addl. Chief Metropolitan Magistrate at Nampally Hyderabad.

I.A. NO: 2 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 stay all further proceedings including appearance of the petitioner / accused No. 2 in C.C. No. 618 of 2018 on the file of XIV Addl. Chief Metropolitan Magistrate at Nampally Hyderabad, pending disposal of the main Criminal Petition.

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 dispense with the Xerox Copy in Certified Copy in CC. No. 618 of 2018 of police station Chariminar, Hyderabad on the file of the XIV Addl. Chief Metropolitan Magistrate at Nampally Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri M.A.MUJEEB, Advocate for the Petitioner and the Public Prosecutor 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.176 of 2020

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') to quash the proceedings in C.C.No.618 of 2018 pending on the file of XIV Additional Chief Metropolitan Magistrate, Hyderabad, filed for the offences under Section 147, 148, 188, 153 r/w 149 of Indian Penal Code (for short "IPC") and Section 3 and 4 of Prevention of Damage to Public Property Act (for short "PDPP Act") and Section 7(1) of Criminal Law Amendment Act.

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

3. On perusal of the facts and circumstances of the case, the accused has to undergo the trial to prove his defence and the same cannot be considered and quash the proceedings.

4. Accordingly, there are no grounds and the Criminal Petition is dismissed. In the event of the petitioner-accused filing an application under Section 205 of Cr.P.C., to be represented by a counsel, the same shall be considered by the Trial Court without hindrance to the trial.

5. Since the case is of the year 2018, the concerned Court is directed to dispose of the C.C.No.618 of 2018 as expeditiously as possible within a period of four months from the date of receipt of a copy of this order, in accordance with law.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

/ To,

1. The XIV Addl. Chief Metropolitan Magistrate at Nampally Hyderabad.
2. The Station House Officer, Charminar Police Station, Hyderabad.
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. [OUT]
4. One CC to Sri M.A.Mujeeb, Advocate [OPUC]
5. Two CD Copies

BJLB
pr

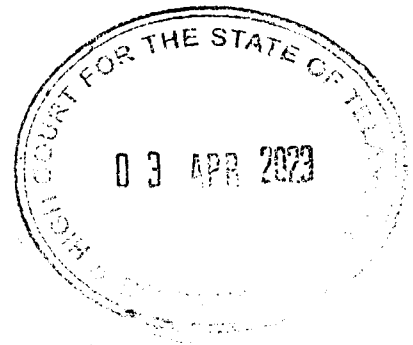
CHR

HIGH COURT

DATED:01/03/2023

ORDER

CRLP.No.176 of 2020



CRIMINAL PETITION IS DISMISSED

⑧ CHR
20/03/23