

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE FIFTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

Criminal Petition No.14667 of 2014

Between:

Abdul Hafeez, S/o Abdul Sattar, Age 26 years, Pvt. Employee, R/o 17-3-190/1/1 at Hafiznagar, Yakutpura, Hyderabad, Telangana State.

...Petitioner.

AND

1. Shaik Abdul Khader, S/o Shaik Mahaboob, Age 55 years, Occ Business.
2. Bijan Bee, W/o Shaik Abdul Khader, Age 50 years, Occ Household.
3. Shaik Shahed, S/o Shaik Abdul Khader, Age 26 years, Occ Private Employee.
4. Shaik Ahmed, S/o Shaik Abdul Khader, Age 24 years, Occ Private Worker.
5. Akhter Hussain, S/o Ahmed Hussain, Age 59 years, Occ Retd. Employee.

(All are R/o Padgal Village, Velpoor Mandal, Nizamabad District, Telangana State.)

6. State of Telangana, Rep by P.P, High Court at Hyderabad.

...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 call for records in C.C.No.176 of 2013 pending before the XXII Special Magistrate, Hyderabad and to quash Docket Order Dt-25-09-14 and to direct to follow Sec. 82(2)(i)(a,b,c) Cr.P.C. prior to Sec.82(2)(ii) Cr.P.C.

I.A. NO: 1 OF 2014(CRLPMP. NO: 15502 OF 2014)

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 the Docket Order Dt:25-09-14 in C.C.No.176 of 2013 passed by the XXII Special Magistrate, Hyderabad till the disposal of the Crl. Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Mohd Zafrullah, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.6 and of the Respondent Nos.1 to 5 not appearing in person or through their counsel.

The Court made the following: **ORDER**

HONOURABLE SRI JUSTICE E.V.VENUGOPAL

CRIMINAL PETITION No.14667 of 2014

ORDER:

This Criminal Petition is filed seeking to call for records in C.C. No.176 of 2013 on the file of learned XXII Special Magistrate, Hyderabad and to quash the docket order dated 25.09.2014 and to direct to follow Section 82(2)(i)(a,b,c) prior to Section 82(2)(ii) of Cr.P.C.

2. None appears for the petitioner though the matter is listed under the caption 'For Dismissal'. Learned Assistant Public Prosecutor appearing for the respondent-State is present.

3. On perusal of the proceeding sheet, it manifests that even on the previous date of hearing i.e., on 02.11.2023 and 09.11.2023, there was no representation for the petitioner. Thus, it appears that the petitioner is not interested to prosecute the matter vigilantly and diligently any more, therefore, this criminal petition is liable to be dismissed for non-prosecution.

4. Accordingly, this criminal petition is dismissed for non-prosecution. However, it is needless to mention that the petitioner is at liberty to work out the alternative remedies as available under law.

Pending miscellaneous applications, if any, shall stand closed.

SD/- B.CHANDRA PRAKASH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XXII Special Magistrate, Hyderabad.
2. The Station House Officer, Velpoor Police Station, Nizamabad.
3. One CC to Sri Mohd Zafrullah, Advocate [OPUC]
4. One CC to the Public Prosecutor, High Court Buildings, Hyderabad.
[OPUC]
5. Two CD Copies

JCK
NS



HIGH COURT

DATED:15/11/2023

ORDER

CRLP.No.14667 of 2014



DISMISSING THE CRIMINAL PETITION
FOR NON-PROSECUTION.

(7) VW
23/12/23