

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

**WEDNESDAY ,THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1300 OF 2020

Between:

R. Prabhakar, S/o R. Vijaya Venkateswara Rao, Aged about 48 years Occ:
Business. R/o Flat No.202, Plot No. 7 Vivekananda Enclave, Road no .2', Banjara
Hills Kamalapuri Colony, Hyderabad **...PETITIONER/ACCUSED No.1**

AND

1. State of Telangana, Rep., by its Public Prosecutor, High Court, Hyderabad
Through SHO PS. Banjara Hills, Hyderabad
2. Sri. Vamparthy Damodar,, S/o Vanaparthi Ramulu, Aged about- 75 yrs,
Occ:Retired Employee, R/o H.No. 8-15-40/61, Road No.2, Sadguru Nagar L.B
Nagar, Hyderabad **...RESPONDENT/DEFACTO 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 of the C.C NO. 15655 of 2019 on the file of The Hon'ble III-Addl. Chief Metropolitan Magistrate at Nampally, Hyderabad for the offence U/S 406, 420, 468, 471 R/w 34 IPC.

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 Stay all further proceedings in C C15655 of 2019 on the file of The Hon'ble III Addl. Chief Metropolitan Magistrate at Nampally, Hyderabad for the offence U/S 406, 420, 468. 47 R/w 34 IPC, including personal appearance of the petitioner, pending disposal of Criminal Petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of M/s. PARIMALA PARIGI, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No. 1 and of Sri M. RAMA KRISHNA, Advocate for the Respondent No. 2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1300 OF 2020

ORDER :

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 (for short "Cr.P.C") by the petitioner - accused no.1 to quash the proceedings against him in C.C.No.15655 of 2019 pending on the file of learned III Additional Chief Metropolitan Magistrate, Nampally, Hyderabad, filed for the offences punishable under Sections 406, 420, 468 and 471 read with Section 34 of the Indian Penal Code.

2. None appears on behalf of petitioner. Learned counsel for the 2nd present. Perused the record.

3. The crime is of the year 2019 and charge sheet was also filed in the same year. As seen from the record, for the first time, the case was listed on 25.02.2020 and again it was listed today. Even though old matters are specially listed for disposal and for the benefit of Advocates, there is no representation on behalf of the petitioners today. Further, no interim orders were passed by this Court earlier.

4. Learned counsel for the 2nd respondent states that the petitioner and two others have cheated the 2nd respondent by taking money of Rs.60,00,000/- for purchase of a commercial area property by producing a fabricated agreement of sale.

5. Considering the facts and circumstances of the case, since there is a *prima facie* case is made out against the petitioner, the present criminal petition is liable to be dismissed.

6. Accordingly, the Criminal Petition is dismissed.

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

Sd/- L. SIVA PARVATHI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The III Additional Chief Metropolitan Magistrate at Nampally, Hyderabad.
2. The Station House Officer, Banjara Hills Police Station, Hyderabad.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, at Hyderabad (OUT).
4. One CC to SRI. PARIMALA PARIGI, Advocate [OPUC]
5. One CC to SRI. M. RAMA KRISHNA, Advocate [OPUC]
6. Two CD Copies

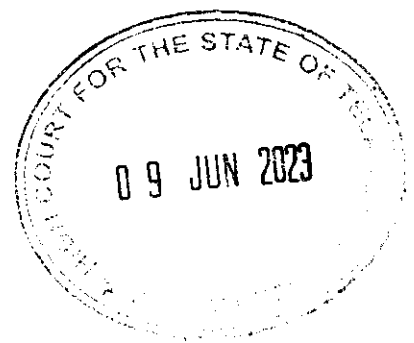
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HIGH COURT
DATED:26/04/2023

ORDER

CRLP.No.1300 of 2020



Crl.P is Dismissed

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3/6/23