

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**TUESDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 4886 OF 2021

Between:

Mohammed Ayyub Khan, S/o. Mohammed Mahatab Khan, Aged about 70 years, Occ. Retd. Employee, R/o.H.No.1-4-140, Shanthinagar, Adilabad.

...PETITIONER/ACCUSED No.2

AND

1. The State of Telangana, through SHO PS Adilabad I Town, Rep. by Public Prosecutor, High Court for the State of Telangana.

...RESPONDENT/COMPLAINANT

2. Miralwar Ashok, S/o. Ushanna, Aged about 52 years, Occ. Chakali, R/o. Shanthinagar, Adilabad.

...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 charge sheet in PRC No. 16 of 2021 on the file of Judicial Magistrate of First Class, Adilabad.

I.A. NO: 2 OF 2021

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 grant stay of all further proceedings in PRC No. 16 of 2021 on the file of Judicial Magistrate of First Class, Adilabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri KONDADI AJAY KUMAR, Advocate for the Petitioner and the Additional 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.4886 of 2021

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner/A2 to quash the proceedings against him in P.R.C.No.16 of 2021 on the file of Judicial Magistrate of First Class, Adilabad. The offence alleged against the petitioner is are under Section 306 r/w.34 of the Indian Penal Code.

2. Heard learned counsel for the petitioner/A2 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/A2 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, by imposing conditions, without hindrance to the trial.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- C.PRAVEEN KUMAR
ASSISTANT REGISTRAR
GP
SECTION OFFICER

//TRUE COPY//

To,

1. The Judicial First Class Magistrate at Adilabad, Adilabad District.
2. The Station House Officer, Adilabad Police Station, Adilabad District.
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad. (OUT)
4. One CC to Sri KONDADI AJAY KUMAR, Advocate [OPUC]
5. Two CD Copies

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BSR

HIGH COURT

DATED:14/03/2023

ORDER

CRLP.No.4886 of 2021



DISMISSING THE CRIMINAL PETITION.

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10/4/23
BSR