

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

**THURSDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SMT JUSTICE T.MADHAVI DEVI

CRIMINAL PETITION NO: 5140 OF 2022

Between:

1. Saleh Bin Abdur Rub Yafai, s/o Abdur Rub Bin Saleh Yafai, aged about 40 years, occ Caretaker r/o H.No. 19-2-27/A/A, Ground Floor, Jahanuma Hyderabad.
2. Moiz Chowdary, s/o Moiz Babu Chowdary, aged about 55 years, occ Business, r/o H.No. 20-9-86 Qazipura, Shalibanda, Hyderabad.
3. Irfan Chowdary, s/o Moiz Chowdary, aged about 30 years, occ Business, r/o 20-7-86, Qqazipura, Shalibanda, Hyderabad.
4. Masood Chowdary, s/o Moiz Chowdary, aged about 27 years, occ Business, r/o 20-7-86, Qazipura Shalibanda, Hyderabad.
5. Safiya Maheen, aged about 45 years, Occ Household, r/o Boarabanda, Hyderabad.
6. Habeeb Hamed, aged about 29 years Occ Business, r/o Qazipura, Shalibanda, Hyderabad.
7. Sameer Ghalib, aged about 37 years Occ Business, r/o Karvan, Hyderabad.
8. Mohd. Zaheer, s/o Mohd. Sajjad, aged about 50 years, occ Business, r/o Shanker Nagar, Malakpet, Hyderabad.

...Petitioners/Accused No.1 to 8

AND

1. The State of Telangana, through S.H.O., Abid Road Police Station, Hyderabad District. rep. by its Public Prosecutor, High Court, Hyderabad.
2. Sayeeda Sultana, d/o Mohammed Ramzani, aged about 29 years, occ Household, r/o H.No. 16-5-198, Farath Nagar, Dabeerpura, Hyderabad.

...Respondent/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 call or the records relating to the FIR. No. 81 of 2022 on the file of Abid Road Police Station, Hyderabad, and to quash the proceedings thereon.

I.A. NO: 2 OF 2022

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 including the arrest of the petitioners in FIR. No. 81 of 2022 on the file of Abid Road Police Station, Hyderabad, pending disposal of the Criminal Petition, and to pass

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Azeem Mustafa, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No. 1 and None appeared for the Respondent No.2.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE T. MADHAVI DEVI

CRIMINAL PETITION NO.5140 OF 2022

ORDER

The petitioners/Accused Nos.1 to 8 have filed this Criminal Petition invoking the provisions under Section 482 of the Code of Criminal Procedure, 1973 to quash the FIR No.81 of 2022 on the file of the Abid Road Police Station, Hyderabad registered against them.

2. Sri S. Ganesh, learned Assistant Public Prosecutor submitted that the police, after completion of investigation in the subject crime, closed the FIR referring the case as "lack of evidence" and filed a final report accordingly on 18.07.2022 before the II Additional Chief Metropolitan Magistrate, Nampally and hence the present Criminal Petition has become infructuous.

3. Recording the aforesaid submission, the Criminal Petition is closed as infructuous. Pending miscellaneous petitions, if any, in this Criminal Petition shall also stand closed.

**Sd/- V.HARI PRASAD
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The II Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.
2. The Station House Officer, Abid Police Station, Hyderabad.
3. One CC to SRI AZEEM MUSTAFA, Advocate [OPUC]
4. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
5. Two CD Copies

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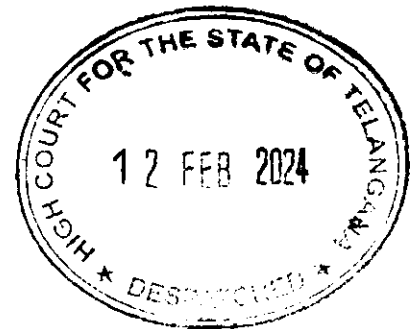
HIGH COURT

TMD, J

DATED: 23/11/2023

ORDER

CRLP.No.5140 of 2022



CRIMINAL PETITION IS CLOSED AS INFRUCTUOUS

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