

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

**TUESDAY THE FOURTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE E.V. VENUGOPAL

CRIMINAL PETITION NO: 12364 OF 2015

Between:

1. SMT.YAMINI MEHTA, W/o. Sri Keerti Mehta, Occ housewife, at 5-4-71/1, Vyas Complex M.G. Road, Ranigunj, Secunderabad - 500 003.
2. Sri Rishi K. Mehta, S/o. Sri Keerti Mehta, Occ service, at 5-4-71/1, Vyas Complex, M.G. Road, Ranigunj, Secunderabad - 500 003.

...PETITIONER/ACCUSED No.3 & 4

AND

1. THE STATE OF TELANGANA, represented by Public Prosecutor High Court, Hyderabad.

...RESPONDENT/STATE

2. M/s. S.K. Textiles, represented by its Proprietrix Smt. Jayashree K. Patel, W/o Sri Kaushik, M.Patel R/o.5-9-22/1710, Adarsh Nagar Hyderabad, Telangana State.

...RESPONDENTS/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 pass an order quashing the Complaint in C.C.No. 99/15 on the file of the X Special Magistrate, Erramanzil, Hyderabad for the alleged offence Under Section 138 of the Negotiable instruments Act 1881 of dishonor of Cheque, against the accused No.3 and 4 in interest of justice.

I.A. NO: 1 OF 2015 (CRLPMP. NO: 12338 OF 2015)

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 pass an order staying all further proceedings in C.C.No. 99/2015 on the file of the X Special Magistrate, Erramanzil, Hyderabad, including the appearance of the petitioners herein / accused No.3 and 4, pending disposal of the above Criminal Petition, in the interest of justice and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SHYAM S AGRAWAL, Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent No.1 and of Sri Promod Kumar Kedia & Associates Advocates for the Respondent No.2

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE E. V. VENUGOPAL**CRIMINAL PETITION No.12364 OF 2015****ORDER:**

This criminal petition is filed to quash the complaint in C.C.No.99 of 2015 on the file of X Special Magistrate, Erramanzil, Hyderabad for the alleged offence under section 138 of the Negotiable Instruments Act 1881 against the petitioners/accused No.3 and 4.

2. Mr.G.Surender, learned counsel representing learned counsel for the petitioner would submit that the cause in the criminal petition does not survive as the petitioners have been acquitted in the lower Court and hence seeks to dismiss the criminal petition as infructuous.

3. Mr.Vizarath Ali, Learned Assistant Public Prosecutor is present and takes no objection to the same.

4. Recording the submissions made by the learned counsel for the petitioner and learned Assistant Public Prosecutor, this Court is inclined to dismiss the Criminal Petition as infructuous.

5. Accordingly, the criminal petition is dismissed as infructuous.

Miscellaneous Petitions, pending if any, shall stand closed.

SD/- A.V.S.PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SV
SECTION OFFICER

To,

1. The X Special Magistrate, Erramanzil, Hyderabad
2. One CC to SRI. SHYAM S AGRAWAL Advocate [OPUC]
3. One CC to SRI. 2607/PRAMOD KUMAR KEDIA Advocate [OPUC]
4. Two CCs to The PUBLIC PROSECUTOR (TG), High Court of
Telangana at Hyderabad. [OUT]
5. Two CD Copies

AA
NS

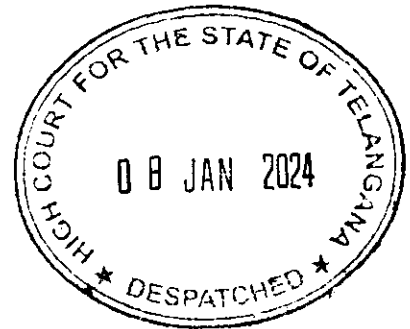
V. J.

HIGH COURT

DATED:14/11/2023

ORDER

CRLP.No.12364 of 2015



**CRIMINAL PETITION IS
DISMISSED AS
INFRACTUOUS**

⑧ vw
28/12/23