

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

THURSDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT,

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 2952 OF 2024

Between:

Prudhvi Raju Kuisampadi, Aged 28 years, Occ Employee, R/o Flat No. 512, J. Block, Jains Aishwarya Layout, Khajaguda, Gachibowli, Hyderabad.

...PETITIONER/ACCUSED

AND

1. The State of Telangana, Through Public Prosecutor at High Court P. S. Banjara Hills, Hyderabad.
2. Kontham Shivaram Reddy, S/o Mahipal Reddy aged 32 years, Occ Business, R/o H. No. 8- 8- 242/3, Road No. 9, Green Park Colony, Karmanghat, Hyderabad.
3. Bhuvda Limited, Rep by Its Director, Sri Mahesh, Plot No. 66, Road No. 2, Banjara Hills, Hyderabad.

...RESPONDENTS/COMPLAINANTS

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 docket order dated 19. 02. 2024 CC No. 840 of 2022 on the file of Special JFCM Excise- cum- V Additional Metropolitan Magistrate- cum- V Additional Junior Civil Judge, Cyberabad at LB Nagar, issuing NBW to the person who received the summons, in the interest of justice.

I.A. NO: 1 OF 2024

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 suspend the docket order dated 19. 02. 2024 in CC. No 840 of 2022 on the file of Special JFCM Excise- cum- V Additional Metropolitan Magistrate- cum- V Additional Junior Civil Judge, Cyberabad at LB Nagar, in the interest of justice and to pass such other and further orders as the 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 P Rama Sharana Sharma, Advocate for the Petitioner and of Sri S. Ganesh, learned Asst. Public Prosecutor on behalf of the Respondent No.1 and of the Respondents No.2 & 3 is not appearing in person or by Advocate.

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.2952 of 2024

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner seeking to quash the docket order dated 19.02.2024 in C.C.No.840 of 2022 on the file of Special JFCM Excise-cum-V Additional Metropolitan Magistrate-cum-V Additional Junior Civil Judge, Cyberabad at LB Nagar.

2. Heard Sri P. Rama Sharana Sharma, learned counsel for the petitioner and Sri S. Ganesh, learned Assistant Public Prosecutor for respondent No.1 – State.

3. Learned counsel for the petitioner submitted that this petition is filed against the order of the trial Court dated 19.02.2024 in C.C.No.840 of 2022, wherein the trial Court has issued NBW to the person unconcerned to the case. As per the averments of the petitioner, the petitioner herein is not the Managing Director of the company, accused No.1 is the Managing Director of the company. The address mentioned in the complaint is Plot No.66, Road No.2,

Banjara Hills, Hyderabad, Telangana, whereas, the summons were served to the different address. The person who has taken summons on behalf of the accused No.1 was issued NBW.

4. It is further submitted that the trial Court while ordering NBW observed that, whenever summons issued on one person, it means he or she is representing on behalf of company. As such, the trial Court has issued NBW to the petitioner herein, as in the complaint no name was mentioned as to who is representing the said accused No.1 company.

5. In view of the above facts and circumstances, this Court is inclined to set aside the order of the trial Court dated 19.02.2024 in C.C.No.840 of 2022 and the trial Court is directed to issue summons to the proper person.

6. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, in this Criminal Petition shall also stand closed.

//TRUE COPY//

Sd/- C. PRAVEEN KUMAR
ASSISTANT REGISTRAR



SECTION OFFICER

To,

1. The Special JFCM Excise- cum- V Additional Metropolitan Magistrate- cum- V Additional Junior Civil Judge, Cyberabad at LB Nagar,
2. The Station House Officer, Banjara Hills Police Station, Hyderabad.

3. One CC to Sri P. Rama Sharana Sharma, Advocate [OPUC]
4. Two CCs to Public Prosecutor, High Court for the State of Telangana (OUT)
5. Two CD Copies

BJLB/NJB

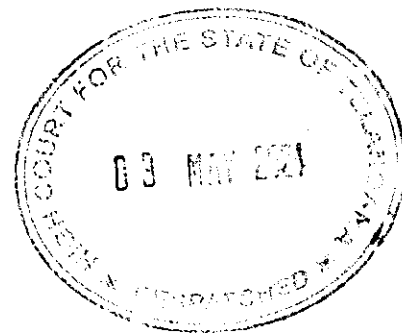
A handwritten signature in black ink, appearing to be 'Gj' or similar, located below the text 'BJLB/NJB'.

HIGH COURT

DATED:14/03/2024

ORDER

CRLP.No.2952 of 2024



CRIMINAL PETITION IS DISPOSED OF

(8)

23/4/24

bys