

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**WEDNESDAY THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR**

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

CRIMINAL PETITION NO: 7965 OF 2024

Between:

1. M/s Taksheel Solutions Limited., Having its office at 8-2-502/1/AG, II Floor, Uma, Aishwarya House, Road No. 7, Banjara Hills, Hyderabad. Represented by its Director.
2. Mr. Pavan Kumar Kuchana, Age: 54 year. Occ: business Flat No. 302, IDEA Heaven Apartments, Road No.7, Age 54, Banjara Hills, Hyderabad - 500034.

...PETITIONER/ACCUSED NO.1 & 2

AND

The Deputy Commissioner of Income Tax., Circle 2(1), 5th Floor, Signature Towers, Kondapur, Hyderabad, Rep by its Spl Public Prosecutor, High Court at 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 pass an order quashing the order dated 19/06/2024, passed in Crl. M.P No.166 of 2024 in CC.No.209 of 2016, on the file of the Special Judge for Economic Offences, at Hyderabad and consequentially re-open and recall the Prosecution witnesses for cross-examining on behalf of the Petitioners/Accused No.1 represented by Accused No.2.

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 stay all the further proceedings against the Petitioner herein/ Accused No.2 in CC No. 209 of 2016, on the file of Hon'ble Court of the Special Judge for Economic Offences, at Hyderabad.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SATHAKARNI K., Advocate for the Petitioner and the Public Prosecutor (TG) on behalf of the Respondent

The Court made the following: ORDER

4. Considering the submission of the learned counsel for the petitioners, to give fair opportunity to the petitioners, this Court is inclined to allow the petition on payment of batta to P.W.1 by the petitioners.

5. Accordingly, the Criminal Petition is allowed setting aside the order of the trial Court dated 19.06.2024 in CrI.M.P.No.166 of 2024 in C.C.No.209 of 2016. Consequently, CrI.M.P.No.166 of 2024 in C.C.No.209 of 2016 stands allowed. The trial Court is directed to permit the petitioners to cross-examine P.W.1 and the petitioners are directed to pay batta to P.W.1. However, the petitioners are directed to cross-examine P.W.1 on the date fixed by the trial Court without seeking any further adjournment, otherwise the petition stands dismissed.

Miscellaneous applications, if any pending, shall also stand closed.

Sd/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

1/TRUE COPY//

SECTION OFFICER

1. The Court of Special Judge for Economic Offences at Nampally, Hyderabad.
2. The Deputy Commissioner of Income Tax., Circle 2(1), 5th Floor, Signature Towers, Kondapur, Hyderabad.
3. Two CCs to Public Prosecutor, High Court for the State of Telangana at Hyderabad[OUT]
4. One CC to SRI. SATHAKARNI K Advocate [OPUC]
5. Two CD Copies *RA*

HIGH COURT

DATED:07/08/2024

ORDER

CRLP.No.7965 of 2024



ALLOWING THE CRIMINAL PETITION

PA
28/10/24
9 copies