

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

MONDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HON'BLE SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No: 14222 of 2024

Between:

Maniklal, S/o Baijinath Prasad, aged 54 years, Occ: Collection Executive, R/o
H.No.130, Maumeru Rai Ka Pura, PO Rasra Dist, Balia, Bihar-221712.

...Petitioner/Accused

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court for the State of Telangana Hyderabad.
2. Charminar Trading Co. Registered Office at #5-1-428 to 429/1/A, New Flower Market, Jambagh Hyderabad-500059, Represented by its senior executive, Mr.Mohammed Aqeel S/o Mohd. Abdul Rab, Age:38 years, R/o.H.No.9-4-97/13, Flat No.402, Moon Residency, Paramount Colony, Gate No.3, Tolichowky, Golkonda, Hyderabad.

...Respondents/Complainant

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to call for the records relating to S.T.C.N.I No 5629 of 2023 from the court of VIII Metropolitan Magistrate, Hyderabad.

I.A. NO: 2 OF 2024

Petition under Section 528 of BNSS praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings including the appearance of petitioner in S.T.C.N.I No 5629 of 2023 from the court of VIII Metropolitan Magistrate Hyderabad, pending disposal of the present quash petition.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri Narsimulu Neeli, 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 SMT. JUSTICE K. SUJANA

CRIMINAL PETITION No.14222 of 2024

ORDER:

In this criminal petition, the petitioner, who is accused, seek to quash the proceedings against him in S.T.C.N.I. No.5629 of 2023 pending on the file of the VIII Metropolitan Magistrate, Hyderabad.

2. After arguing for some time, when this Court has expressed its opinion stating that the said contentions are disputed questions of fact which need to be gone into by the trial Court, learned counsel for the petitioner restricted his prayer to the extent of dispensing with the presence of the petitioner before the trial Court.

3. Hence, if there are no warrants issued against the petitioner, the appearance of the petitioner before the trial Court is dispensed with unless his presence is specifically required during the course of trial, subject to the condition of petitioner being represented by his counsel on every date of hearing.

4. Accordingly, the Criminal Petition is disposed of. Pending miscellaneous petitions, if any, in this Criminal Petition shall also stand closed.

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The VIII Metropolitan Magistrate, Hyderabad.
2. Two CCs to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
3. One CC to Sri Narsimulu Neeli, Advocate [OPUC]
4. Two CD Copies

GS/kam



HIGH COURT

DATED:25/11/2024

ORDER

CRLP.No.14222 of 2024



CRIMINAL PETITION
IS DISPOSED OF

(P)
09/12/24
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