

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 1375 OF 2023

Between:

R. Bhona, S/o. R. Hari Singh, Aged about 58 years, Occ. Superintendent
O/o. Executive Engineer Telangana Housing Board, Warangal Division, R/o. Plot
No.60, 5-164, Phase-2, Sai Vihar Nagar, Meerpet, Hyderabad.

...PETITIONER/ACCUSED No.3

AND

1. The State of Telangana, Rep by its Public Prosecutor, High Court at Hyderabad.
2. Erva Rambabu, S/o. E. Venkatesham, Aged about 58 years, Occ. Asst. Engineer Dy., O/o. Telangana Housing Board, Hyderabad, R/o. H.No.7-71/38, Maheshwari Nagar, Street No.8, Habsiguda, Hyderabad.

...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 quash the Criminal Proceedings against the Petitioners/Accused No. 3 herein in C.C. No. 8016 of 2019 on the file of the Hon'ble XII Additional Chief Metropolitan Magistrate at Hyderabad in Crime No.164/2018 of PS CCS, DD, Hyderabad for the alleged offences U/Sec.420, 409 r/w. 120(B) of IPC.

I.A. NO: 2 OF 2023

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 further proceedings including appearance of the Petitioners/Accused No. 3 herein in C.C. No. 8016 of 2019 on the file of the Hon'ble XII Additional Chief Metropolitan Magistrate at Hyderabad in Crime

No.164/2018 of PS CCS, DD, Hyderabad for the alleged offences U/Sec.420, 409 r/w. 120(B) of IPC.

This Petition coming on for hearing, upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SHAIK MOHAMMED RIZWAN AKHTAR ,Advocate for the Petitioner and of 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 SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.1375 OF 2023****ORDER:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.3 to quash the proceedings against him in C.C.No.8016 of 2019 pending on the file of XII Additional Chief Metropolitan Magistrate at Hyderabad. The offences alleged against the petitioner are under Sections 420 and 409 read with 120(B) of Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the record.
 3. Learned counsel for the petitioner confined his prayer to dispense with the personal appearance of the petitioner - Accused No.3.
 4. Considering the submission of learned counsel for the petitioner, this Criminal Petition is disposed of with the following directions:
-

i) The attendance of the petitioner – Accused No.3 is dispensed with in C.C.No.8016 of 2019 pending on the file of XII Additional Chief Metropolitan Magistrate at Hyderabad, when represented by his counsel on record.

ii) The attendance of the petitioner – Accused No.3 is dispensed subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also.

iii) However, the petitioner – Accused No.3 shall appear before the learned Magistrate as and when his presence is required. In the event of the failure of the petitioner – Accused to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

iv) Needless to say, in the event of the petitioner filing an application seeking discharge, the concerned Court shall dispose it off on merits within a period of four (04) weeks from the date of filing, after hearing arguments on both sides.

Miscellaneous applications pending, if any, shall stand closed.

//TRUE COPY//

SD/-T.JAYASREE
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The XII Additional Chief Metropolitan Magistrate at Hyderabad.
2. The Station House Officer C.C.S, D.D, Nampally Hyderabad.
3. One CC to SRI. SHAIK MOHAMMED RIZWAN AKHTAR, 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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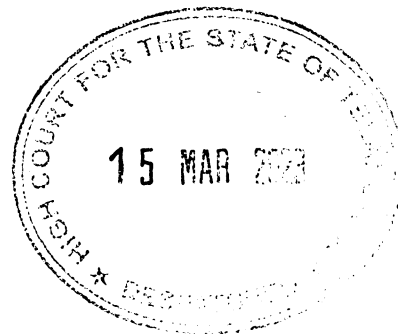
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HIGH COURT

DATED:09/02/2023

ORDER

CRLP.No.1375 of 2023



DISPOSING OF THE CRLP WITHOUT COSTS

8 Copies
BSK
16/3/23