

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD
WEDNESDAY, THE TWENTY NINTH DAY OF JUNE
TWO THOUSAND AND TWENTY TWO

:PRESENT:
THE HONOURABLE SRI JUSTICE K.LAKSHMAN
CRL.R.C.NO: 444 OF 2022

Between:

N. Hanumanth Reddy, S/o Narsa Reddy

Petitioner/Petitioner/Accused

AND

The State of Telangana, rep. by Public Prosecutor, High Court of Judicature at Hyderabad

Respondent

Revision filed under Section 397 and 401 of Cr.P.C., praying that in the circumstances stated in the grounds filed in the Criminal Revision Case, the High Court may be pleased to allow the Crl.R.C by setting aside the order dated 20/6/2022 in Crl. M.P.No.297 of 2022 in Crime No. 176 of 2009 on the file of the Court of the Judicial Magistrate of First Class, Zaheerabad.

IA NO: 1 OF 2022

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the petition, the High Court may be pleased to Suspend the operation of the order dated 20/6/2022 in Crl. M.P.No. 297 of 2022 in Crime No. 176 of 2009 on the file of the Court of the Judicial Magistrate of First Class, Zaheerabad Pending disposal of CRLRC No.444 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the grounds filed in support thereof and upon hearing the arguments of Sri Sakinala Ravi Kumar Advocate for the Petitioner, Public Prosecutor for the Respondent the Court made the following.

ORDER

Perusal of the record would reveal that subject crime was registered in the year 2009 and offences alleged against the petitioner herein are under Sections 420 and 468 of IPC. The allegation against the petitioner herein is that he has forged the agreement of sale. In fact, the petitioner herein has filed a suit for specific performance of agreement of sale dated 29.12.1997 and the said suit was decreed and the said decree was confirmed by this Court and the Hon'ble Supreme Court. Petitioner herein has filed an execution petition vide E.P.No.01 of 2021 and the same is pending. During the pendency of the said E.P., the Police have filed an application under Section 91 Cr.P.C vide Crl.M.P.No.297 of 2022 in Crime No.176 of 2009 seeking to call original agreement of sale dated 29.12.1997 from the Court below in the said suit. Vide impugned order dated 20.06.2022, learned Magistrate has

allowed the said application. In the impugned order, there is no consideration of the above said proceedings and also consideration of the final report filed by the Investigating Officer in the above said Crime stating that the dispute is in civil in nature. The Police is not having power to reopen the case. Several grounds raised by the petitioner needs examination.

Therefore, there shall be suspension of the impugned order dated 20.06.2022 in Crl.M.P.No.297 of 2022 in Crime No.176 of 2009, pending on the file of Judicial Magistrate of First Class, Zaheerabad.

In the meanwhile, learned counsel for the petitioner shall take steps to implead *de facto* complainant.

List on 15.07.2022.

SD/- K. SHYLESHI
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Judicial Magistrate of First Class, Zaheerabad
2. The Station House Officer, Zaheerabad Town Police Station, Zaheerabad
3. Two CCs to the Public Prosecutor, High Court for the State of Telangana, Hyderabad (OUT)
4. One CC to Sri Sakinala Ravi Kumar Advocate [OPUC]
5. One spare copy

HIGH COURT

KLJ

DATED:29/06/2022

LIST ON 15.07.2022

ORDER

CRLRC.No.444 of 2022

SUSPENSION

