

THE HON'BLE SRI JUSTICE M.S.K. JAISWAL

Criminal Petition No. 435 of 2011

Order:

This Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner/accused, seeking to quash the proceedings pending against him in POR No.2/31, dated 21.12.2002, on the file of the Forest Range Officer, Kushnepally, Adilabad District.

2. The allegation against the petitioner/accused is that he is said to have killed three Deers. A perusal of the record would show that the alleged crime is said to have taken place on 21.12.2002. On the previous date of hearing, a report was directed to be called for from the jurisdictional Court as to whether any charge sheet has been filed in the above crime or not? The learned Junior Civil Judge, Sirpur-T, vide his letter in Dis.No.673/2015, dated 19.06.2015, has informed that in POR No.2/31 charge sheet was filed on 25.08.2010 and after checking the same was returned with certain objections on 27.09.2010, but till date the said charge sheet has not been resubmitted.

3. From the above, it is clear that for the crime, which took place in the year 2002, a defective charge sheet was filed in the year 2010 and when the same was returned with certain objections, even though more than 5 years have been elapsed, the same has not been re-submitted till date. Keeping the case pending indefinitely for a long period is nothing but subjecting the petitioner/accused to harassment and, therefore, I am of the considered view that the proceedings in POR No.2/31 pending against the petitioner/accused herein are liable to be quashed.

4. Accordingly, the Criminal Petition is allowed and the

proceedings pending against the petitioner/accused herein in POR No.2/31, dated 21.12.2002, on the file of the Forest Range Officer, Kushnepally, Adilabad District, are hereby quashed.

5. As a sequel thereto, the miscellaneous petitions, if any, pending in the Criminal Petition shall stand closed.

M.S.K. JAISWAL, J.

Date: 02.07.2015

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