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of the accused conferred under Section 24(3) and (4) of the Insecticides Act, 1968, were defeated for no fault of the petitioners/accused. In similar circumstances and in respect of a case relating to drawing the sample of Monochrotophos 36% SL (Milphos) and filing the complaint belatedly after expiry of the shelf life, the Hon'ble Apex Court in the case of State of Haryana (2 supra) held that the accused deserve quashment of the proceedings. it held thus: " It cannot be gainsaid, therefore, that the respondents in these appeals have been deprived of their valuable right to have the sample tested from the Central Insecticides Laboratory under sub-section (4) of Section 24 of the Act. Under sub-section (3) of Section 24 report signed by the Insecticide Analyst shall be evidence of the facts stated therein and shall be conclusive evidence against the accused only if the accused do not, within 28 days of the receipt of the report, notify in writing to the Insecticide Inspector or the Court before which proceedings are pending that they intend to adduce evidence to controvert the report. In the present cases, the Insecticide Inspector was notified that the accused intended to adduce evidence to controvert the report. BY the time the matter reached the Court, the shelf life of the sample had already expired and no purpose would have been served informing the Court of such an intention. The report of the Insecticide Analyst was, therefore, not conclusive. A valuable right had been conferred on the accused to have the sample tested from the Central Insecticides Laboratory and in the circumstances of the case, the accused have been deprived of that right, thus, prejudicing them in their defence". 10. The above decision squarely applies to the facts of the present case. In the instance case also, the petitioners/accused were deprived of their rights accrued under Section 24(3) and (4) of Insecticides Act, 1968 due to apathy of the complainant. Hence, continuation of proceedings, in the considered view of this Court, will amount to abuse of process of law. 11. Accordingly, the Criminal Petition is allowed and the Proceedings in C.C.No.758 of 2014 on the file of Judicial First Class Magistrate, Kurnool, are hereby quashed against the petitioners/accused Nos. 1 to 4. As a sequel, miscellaneous petitions pending, if any, shall stand closed. _____ U. DURGA PRASAD RAO, J Date: 02.06.2015 Note: L.R. copy to be marked Yes / No eha (2010)7SCC726 (1999) 8 SCC 190 PAGE 9 .ElQRSX^g,‹±Üàìû ¢ ¤ Û Ü Ý ý

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